

MOTOR VEHICLE USE AND SAFETY

Policies and Procedures



The Kind
Foundation™

Mō tātou katoa. For all of us.

CONTENTS

- 1 Policy Statement..... 3
- 2 Policy Details..... 3
 - 2.1 General 3
 - 2.2 Driver Selection, Training and Assessment..... 3
 - 2.2.1 Staff with Overseas Drivers Licences..... 3
 - 2.3 Driver Responsibilities..... 3
 - 2.4 Fuel..... 4
 - 2.5 Vehicle Recharge..... 4
 - 2.5.1 City Vehicles 5
 - 2.5.2 Wainui Vehicles 5
 - 2.5.3 Arthur’s Pass 5
 - 2.5.4 Maintenance Vehicle 5
 - 2.5.5 Personal Use of The Kind Foundation Vehicles..... 5
 - 2.6 Maintenance, Documentation, Sales and Purchases 5
 - 2.7 Risk Management 5
 - 2.7.1 Managing Fatigue..... 6
 - 2.8 Argus Tracking Data and Driver Safety 6
 - 2.9 Breakdowns 6
 - 2.10 Traffic Infringements 6
 - 2.11 Accidents..... 6
 - 2.12 Loss 7
 - 2.13 Insurance Claims..... 7
 - 2.14 Use of Private Staff Vehicles..... 8
 - 2.14.1 Use of private vehicles for transport of students or clients 8
- 3 Definitions 9
- 4 Related Documents 9
 - 4.1 The Kind Foundation Documents 9
 - 4.2 Legislation 9
- 5 Document Control 9
 - 5.1 Policy Owner 9
 - 5.2 Parent Policy 9
 - 5.3 Date of Implementation 9
 - 5.4 Review Date 9
 - 5.5 Document Control Procedure 9
 - 5.6 Version Table 10
- 6 Appendixes 11
 - 6.1 Appendix 1: New Zealand Child Restraint Laws Table..... 11
 - 6.2 Appendix 2: Private Vehicles – Conditions of Use Form.....12

1 POLICY STATEMENT

The Kind Foundation will ensure that drivers and passengers of The Kind Foundation vehicles will remain safe and healthy by adhering to best practise in terms of driving, purchasing and maintenance of vehicles, as well as assessing and controlling the risks surrounding vehicle use and responding appropriately to driver infringements.

2 POLICY DETAILS

2.1 General

The Kind Foundation has a fleet of five vans and two cars. Two of these vans are based at Wainui Park over the peak season, one van is used by the Wainui Park Property Manager, another by the Maintenance Manager, and the final van is used by Arthurs Pass Outdoor Education Centre (APOEC). One car is based at Wainui and the other at Bishopdale. The CEO has a leased vehicle, and The Kind Foundation also owns several trailers. "Ownership" of these vehicles is not with any particular department.

2.2 Driver Selection, Training and Assessment

Only employees and volunteers approved by their manager may drive a The Kind Foundation vehicle. At minimum the driver of a The Kind Foundation vehicle must be at least 18 years of age, have at least two years driving experience, have a full drivers licence (note: see Section 2.2.1 if the licence is from overseas), and must have signed The Kind Foundation Code of Conduct (which includes a section on The Kind Foundation vehicle use) prior to driving a The Kind Foundation vehicle.

For drivers that are driving in higher risk situations i.e. driving with trailers and open road driving with clients, drivers will be required to undergo specific internal assessments for the type of driving they will undertake, and The Kind Foundation reserves the right ask potential drivers to undergo a driving attitudes and behaviours or risk assessment test. Also, in these situations a minimum age of greater than 18 may be specified by individual departments.

Records of driver assessment and drivers' licence will be kept as part of staff files. If a driver driving status changes, for example if their licence has been suspended, then the driver must inform The Kind Foundation of this change.

2.2.1 Staff with Overseas Drivers Licences

Staff with an overseas drivers licence can drive The Kind Foundation vehicles if they meet the minimum standards set in Section 2.2 and they also meet the rules set by the New Zealand Transport Authority (NZTA) for new residents and visitors driving on New Zealand Roads.

Staff with an overseas drivers licence can only drive using their overseas licence for a maximum period of 12 months from their last date of entry into New Zealand.

Staff members with international licences can only drive in higher risk situations (as given in Section 2.2) when they are from a country that the NZTA does not require any further testing if they were to convert to a NZ licence. A list of these countries can be found on the NZTA website under 'Converting to a New Zealand driver licence'.

2.3 Driver Responsibilities

The driver of a The Kind Foundation vehicle must comply with the New Zealand Road Code and traffic regulations and must hold a clean licence in the correct class for the type of vehicle being driven.

No The Kind Foundation vehicle may be used in the pursuit of commercial interests or business other than that of the Employer.

The following are prohibited in a The Kind Foundation vehicle:

- Smoking
- Consumption of alcohol
- Use of cell phones whilst driving
- Carriage of unauthorised passengers e.g. hitchhikers

Once a booking has been made and before the vehicle is driven, the driver is responsible for walking around that vehicle and ensuring there are no dents or scratches. This procedure should be carried out again at the end of the booking. All dents and scratches need to be recorded under "Damage Noted" on the log sheet and immediately notify to the Maintenance Manager.

The log sheet is to be fully completed showing the driver name, the programme that the travel relates to, the start and finish km's, any damage noted, whether it has been fuelled, and signed by the driver.

Drivers and passengers are responsible for removing their personal rubbish from a The Kind Foundation vehicle and for keeping the vehicle tidy.

The driver is responsible for ensuring that the vehicle is appropriately loaded, used only within its specified capability, that the driver's vision is not impaired and that any cargo cannot harm the driver and/or passengers.

When a trailer is being towed the driver shall be responsible for ensuring that the trailer is securely attached to the vehicle, and that any load on or in the trailer is secure. Note: A reminder that the speed limit on the open road when towing a trailer is 90km.

If a staff member is using a vehicle for an evening commitment or an overnight trip, permission must be obtained from their departmental management before taking the vehicle home.

A number of the vehicles are fitted with a GPS tracking device and speeds and routes can be monitored. Any vehicle travelling over the speed limit will appear on a monthly report, and risky driving will be addressed. Please see Section 2.8 Argus Tracking Data and Driver Safety for more information.

2.4 Fuel

A vehicle's fuel tank should be kept at least one-third full; the driver is responsible for ensuring there is adequate fuel for the journey being undertaken.

Caltex Star and Mobile cards are issued to each vehicle. The Caltex Star Card can be used at both Caltex and Challenge Stations.

Drivers are responsible for the use and security of Fuel Cards and must immediately report any loss to their manager.

Note: All of the vehicles take petrol.

2.5 Vehicle Recharge

Vehicle operating costs are recovered through the departments using the vehicles, either through a flat rate or a per kilometre rate.

2.5.1 City Vehicles

- Full Day booking - \$89 per vehicle per day, plus petrol charge of 25c p/km
- Part Day booking - \$1.20 per km

2.5.2 Wainui Vehicles

- Vans – flat rate \$312.50 per vehicle per week
- Lancer – flat rate of \$375 per month
- Note: Petrol charged onto the fuel cards during vehicle use is also recovered

2.5.3 Arthur's Pass

- No km rate
- APOEC pays for petrol/services/tyres/excess/repairs and WOF. Admin covers insurance.

2.5.4 Maintenance Vehicle

- \$1.20 per km allocated on a daily basis to the department who the maintenance manager has undertaken the majority of the work for the day. Please note that kms will include travel to and from their home.

2.5.5 Personal Use of The Kind Foundation Vehicles

- For use by management team only (or with approval from the CEO)
- \$1.20 per km +GST invoiced to the individual at the end of the month

2.6 Maintenance, Documentation, Sales and Purchases

The Executive Assistant is responsible for the yearly registration and insurance of fleet vehicles. Note: if a vehicle or trailer is decommissioned or sold the Executive Assistant must be informed.

The Maintenance Manger is responsible for Warrant of Fitness's and services. All The Kind Foundation vehicles will be checked on a monthly basis for oil, water, tyre pressures and general cleanliness.

Any faults or damage needs to be noted on the log sheet and reported immediately to the Maintenance team.

All The Kind Foundation vehicles will be fitted with a first aid kit.

A number of approved child restraint systems will be available for use in The Kind Foundation vehicles to comply with New Zealand Child Restraint laws (see Appendix 1: New Zealand Child Restraint Laws Table).

Sale and purchase of any vehicles must be approved by the CEO.

2.7 Risk Management

Risk registers for driving will be developed, maintained and reviewed. These registers will take into consideration the risk associated with:

- General driving
- Open road driving
- Van driving
- Driving with clients
- Driving with a trailer

Note: See the Motor Vehicle Use section of The Kind Foundation Risk Register for details of Hazards, Risks and associated Controls. See the Risk Assessment for Health and Safety Policy and Procedure for more information of the risk management process.

2.7.1 Managing Fatigue

Management and staff will work together to ensure that a driver's schedule is not pushed to meet unrealistic time demands, as this can (and does) promote speeding, risk taking or driving when tired. The rules for commercial drivers give a good baseline in structuring a driver's schedule:

- No more than 5.5 hours driving without a 30-minute break
- There is a minimum of 10 hours of break during any one day of work or driving
- There is a minimum of 24 hours of break after any 3 full days of work or driving

If the planned trip is over night or multi day then consideration will be made on whether there needs to be a designated driver that has little or no supervision or facilitation roles thereby reducing the risk of fatigue.

2.8 Argus Tracking Data and Driver Safety

Data will be collected through the Argus Driver Behaviour reporting tool to help determine high risk users and behaviour. The Argus system logs speeds in excess of 11 km/hr over the speed limit and calculates risk points over a month period for all vehicles. Drivers found to have had a high number of risk points over one month, or a moderate amount over a number of months, or have exceeded the speed limit by an excessive amount will result in the CEO taking the necessary employee performance management steps to address unsafe driving. This may include excluding that staff member from driving in all or some circumstances, driver training, warnings and in cases of repeat offending and excessive demerit points possible dismissal for serious misconduct.

A summary of the Argus Driver Behaviour reporting tool will be included in the monthly Health and Safety summary that is prepared by the Health and Safety Officer.

2.9 Breakdowns

In the case of a breakdown the driver should contact the Maintenance Manager.

2.10 Traffic Infringements

The driver of a The Kind Foundation vehicle is responsible for any traffic infringements incurred whilst in charge of the vehicle and for paying any fines incurred, including parking fines, and must notify their departmental manager as soon as is practicable.

2.11 Accidents

A driver shall notify his/her manager as soon as practicable if The Kind Foundation vehicle of which he/she is in charge is involved in an accident and/or damaged.

A driver must stop at the scene of any accident in which he/she is involved and find out whether anyone has been injured; all practical assistance should be given to any injured party.

If someone is killed or injured in the accident, the driver shall report the accident to the New Zealand Police as soon as practicable, and in any case within 24 hours, unless the driver is incapable of doing so because he/she was injured in the accident.

If the accident is minor and involves no injury, the driver should notify the Police at the time of the accident or, if that is not possible, as soon as practicable following the accident if he/she believes that the other driver was at fault.

The driver shall record details of the accident, including the name, address, telephone number and insurance company of any other driver involved and the name, address and telephone number of any witnesses.

The driver shall provide to any other driver involved in an accident the following information:

- Name and address
- Name and address of The Kind Foundation (including the name of the CEO)
- The vehicle's registration number

The driver shall not admit fault at the scene of an accident as this may affect any subsequent insurance claim.

If an accident causes damage to an unoccupied motor vehicle or to someone else's property, the driver must report the accident to the owner of the vehicle or property within 48 hours, unless he/she is incapable of doing so due to injury caused as a result of the accident; the driver shall provide to the owner the following information:

- Name and address
- Name and address of The Kind Foundation (including the name of the CEO)
- The vehicle's registration number
- The location of the accident

If the owner of the vehicle or the property is unable to be contacted, the driver must report the accident to the New Zealand Police as soon as practicable within 60 hours of the accident.

Following an accident or damage of a The Kind Foundation vehicle the driver must notify their departmental manager ASAP and must report the incident through The Kind Foundation A&I Reporting App within 12 hours. Please see the Accident and Incident Reporting and Investigation Policy and Procedure for further details.

The department involved will be liable for the insurance excess payment, (\$500 standard excess, \$900 excess for a driver under the age of 25 years), unless it can be shown that a traffic infringement or criminal act has been the cause of the accident, in which case it is likely that the employee will be liable to pay the excess.

Any fines/penalties to any driver or passenger of any The Kind Foundation vehicle will be paid by the person responsible, from their own resources. Such fines may result in further disciplinary action from the employer, depending on the circumstances.

2.12 Loss

A driver shall notify their departmental manager and the New Zealand Police as soon as practicable if The Kind Foundation vehicle of which he/she is in charge is stolen, vandalised or broken into.

The driver shall record the name, address and telephone number of any witnesses. The driver will make a report of the incident through The Kind Foundation A&I Reporting App within 12 hours.

Any personal property lost in a vehicle as a result of it being stolen, vandalised or broken into is the responsibility of the owner of the property.

2.13 Insurance Claims

In the case of an accident or loss of vehicle the 'NZI Motor Accident Claim Form' should be filled out and then submitted to the relevant Senior Manager. The Manager should then consider whether the cost of repair will be less than the excess associated with the incident before forwarding the insurance form onto the Executive Assistant (note: for drivers under 25 years the excess cost is significantly more).

2.14 Use of Private Staff Vehicles

The use of Private Vehicles on The Kind Foundation business is subject to the following:

1. Consent - It is not intended that staff use their own vehicles for work purposes. However, if this is being considered staff must obtain prior approval from their manager to use their private vehicle on The Kind Foundation business. See Appendix 2 Private Vehicles – Conditions of Use
2. Insurance - The Kind Foundation motor vehicle insurance policy does not cover private vehicles used on The Kind Foundation business. Staff must therefore ensure their own insurance covers this use. The Kind Foundation will not, under any circumstances reimburse or pay any costs associated with accidents for private vehicle use or parking.
3. Mileage - Where a member of staff is approved to use their private vehicle, The Kind Foundation will reimburse that employee at 0.65c per km travelled. A log of trips made with kilometres travelled must be submitted along with a The Kind Foundation Cheque Requisition Form before reimbursement will be paid.

2.14.1 Use of private vehicles for transport of students or clients

The use of private vehicles for transporting clients or students is will only be allowed in two circumstances:

1. During an emergency or crisis situation when there are no other transport options
2. With prior approval from the relevant Senior Manager, COO or the CEO.

In regards to circumstance 2 only those within the organisation whose roles would be unduly affected without the ability to transport clients or students in their own personal vehicles will be considered for approval e.g. those in a youth worker role. The following also must be adhered to:

1. The vehicle and driver must have gone through the process as given in 2.13 Use of Private Staff Vehicles before seeking approval to transport students or clients.
2. Maintenance - Evidence must be sighted that the vehicle is maintained regularly (such as sighting service reports from mechanic) and has an annual vehicle inspection. Furthermore, privately owned vehicles with identified defects are not for Y business until the defect has been cleared.
3. Approval must be sought and given before a staff member uses their own personal vehicles for transporting students or clients, however this approval only needs to be given once.
4. If the proposed passenger(s) are minors (under 18 years old), then consent must be sought and given in writing from the passenger(s) parent or guardian, this consent can be a blanket consent which covers a particular period of time. Drivers should also consult the Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure for guidelines on transporting minors.

3 DEFINITIONS

Not applicable

4 RELATED DOCUMENTS

4.1 The Kind Foundation Documents

- Safety Management Plan (SMP)
- Personnel Policies and Procedures Manual (PPPM)
- Risk Register

4.2 Legislation

- Health and Safety at Work Act 2015
- Land Transport Act 1998 and amendments
- Land Transport (Driver Licensing) Rule 1999
- Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011
- Land Transport (Road User) Rule 2004
- Land Transport (Offences and Penalties) Regulations 1999

5 DOCUMENT CONTROL

5.1 Policy Owner

- Health and Safety Officer

5.2 Parent Policy

- Safety Management Plan

5.3 Date of Implementation

- June 2023

5.4 Review Date

- June 2024

5.5 Document Control Procedure

This document is considered a 'living document' and as such, regardless of the review date, this document remains relevant until such time as a new version is produced or it is retired.

Documents will be identified by a header and footer that states the version number and total number of pages within the document.

Any previous versions or copies will be removed from circulation if obsolete or marked clearly that they are not current. Archived copies and other safety-related records will be kept for seven years and archived accordingly.

Once printed, documents are uncontrolled.

5.6 Version Table

Version	Amendments made	Approved by	Date
1.0	<ul style="list-style-type: none"> Original version adjusted to new framework 	Josie Ogden Schroeder	Aug 2017
1.1	<ul style="list-style-type: none"> Update Section 3.1 with changes to The Kind Foundation fleet General edit 	Josie Ogden Schroeder	Oct 2018
1.2	<ul style="list-style-type: none"> General edit Section 3.1 - Updated fleet makeup Section 3.2 – Clarified that operational areas of the Y can specify a minimum age greater than 18 years. Section 3.5 – Removed section relating to Argus Booking Removed reference to Lease Direct 	Josie Ogden Schroeder	Sep 2019
1.3	<ul style="list-style-type: none"> General edit Updated Section 3.1 to reflect changes in fleet vehicles Updated Section 3.2 to reflect change in the way in which drivers are able to drive Y vehicles Add to Section 3.3 about securing of a trailers load Changed Section 3.9 heading and removed the first paragraph referring to a fleet safety management system which is no longer relevant Added Section 3.6 Vehicle Recharge Removed Section 3.14 as it was not relevant with information now in Section 3.6 Updated Section 3.7 with who is responsible for what parts of paperwork and maintenance for vehicles Changed the order of some Sections – Section 3.9 to Section 3.13 	Josie Ogden Schroeder	May 2021
1.4	<ul style="list-style-type: none"> Changed to new template General edit Updated Section 2.1 to reflect changes in fleet vehicles Added Section 2.2.1 Removed Section 2.5 Updated Section 2.5.2 to include fuel charges Updated Section 2.9 to remove reference to AA membership Update 2.11 to reflect updates to A&I reporting Added 2.13 Insurance Claims 	Josie Ogden Schroeder	Jun 2023
1.5	<ul style="list-style-type: none"> Updated due to change in organisation name and branding 	Crispian Hills	Nov 2023

6 APPENDIXES

6.1 Appendix 1: New Zealand Child Restraint Laws Table

New Zealand Child Restraint Laws

Age of child	The law says you must:
Until their 7th birthday	Correctly secure your child in an approved child restraint
From their 7th to their 8th birthday	Correctly secure your child in an approved child restraint if one is available in the vehicle (and if not, in any child restraint or safety belt that is available)
From 8th birthday to 14 years old	Must use safety belts if available. If not available, they must travel in the back seat.
Over 14 years old	Must use safety belts where they are available.

6.2 Appendix 2: Private Vehicles – Conditions of Use Form

Private Vehicles – Conditions of Use

I _____ agree to the following conditions regarding my use of my own private vehicle for agency business:

1. I have provided a photocopy of my current driver’s licence and it is my responsibility to provide a photocopy of all renewals to ensure a current copy is always on file at the office. Any changes to my licence conditions will be reported to the office immediately.
2. I have provided a photocopy of my current registration and Warrant of Fitness and it is my responsibility to provide a photocopy of all renewals to ensure a current copy is always on file at the office. Any changes to my registration will be reported to the office immediately (e.g. change of vehicle or the use of a second car for work purposes).
3. I have checked with my insurer that I can use the vehicle for work purposes, including carrying clients, and have complied with any requirement in this regard.
4. I am fully responsible for my vehicle in the event of any claim that arises as a result of an accident, in conjunction with my insurer.

Name: _____

Signature: _____ Date: _____

Approved by:

Name: _____ Position: _____

Signature: _____ Date: _____