SOCIETY DRIVERS - DISQUALIFICATION POLICY

SCOTMID Employee Hub

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The Society classes certain employees as essential drivers who must hold and maintain a valid driving licence. If an essential driver is disqualified from driving, this may seriously impede his/her mobility and the ability to perform the duties of the post adequately. The Society also needs to know of any other licence restrictions, endorsements or requirements that may affect an employee's ability to perform the duties of the post adequately, either currently or in the future. In such cases the Society will review the employment status of the employee concerned.

Definition of an Essential driver

An employee is classed as an essential driver if it is a contractual requirement of the position that he/she holds and maintains a valid driving licence in order to perform the duties of the post.

Driving Disqualifications

In dealing with drivers who are convicted of a motoring offence, the courts can either endorse the driver's licence with penalty points or order a period of disqualification. There are three types of disqualification:

- Immediate disqualification
- Totting up disqualification
- Short period disqualification (SPD)

Immediate Disqualification

Disqualification can be immediate depending on the seriousness of the offence. There is no set minimum or maximum disqualification period. In this situation the driving licence is surrendered and the driver must reapply for it at the end of the disqualification period.

Totting Up Disqualification

A person who accumulates 12 or more penalty points or endorsements in a period of three years will be disqualified from driving. Disqualification in such circumstances is normally for six months, but drivers may appeal to the court to reduce or remove the disqualification for 'special' reasons (eg they need to drive in order to work). The licence is surrendered as above.

Short Period Disqualification (SPD)

SPD is defined by the DVLA as a disqualification for a period of less than 56 days. During this period drivers retain their licence but are not permitted to drive.

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Medical Suspension

Due to certain medical conditions licences can either be voluntarily surrendered or be revoked by the DVLA

Notifying the Society

Employees who are classed as essential drivers must inform their Manager and People & Performance if they are disqualified from driving or have any licence restrictions, endorsements or requirements that may affect the performance of their duties. Failure to do so will lead to disciplinary action.

Disqualification lasting less than 56 days (SDP)

If the disqualification period is less than 56 days the employee will retain his/her current position and continue in the role using alternative forms of transport. However transit expenses will only be reimbursed to the level that would otherwise have been incurred when driving for the relevant period.

Where the main purpose of the employee's role is driving the employee will be redeployed to an alternative role for this period. The employee will continue to be paid their normal salary for the disqualification period.

If the employee has the use of a Society vehicle this will be utilised as either a department or Society pool car for the period of disqualification

Disqualification lasting 56 days or over

If the disqualification period is for 56 days or more, the Society will endeavour to second or redeploy the employee on a temporary or permanent basis depending on the length of disqualification.

The employee will retain his/her current position and continue in the role using alternative means of transport until such time as redeployment is determined but for no longer than 55 days from the date of disqualification. During this period transit expenses will only be reimbursed up to the level that would otherwise have been incurred when driving for the relevant period. Where the main purpose of the employee's role is driving, the employee will be redeployed to an alternative role on a short term basis whilst more long term alternatives are considered.

If no redeployment or secondment can be found, the Society will terminate the employment on the 56th day following the imposition of the disqualification.

Where an employee can be redeployed or seconded their salary, where appropriate, will be reduced or red circled to fall in line with the rate for the role they are fulfilling.

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If the employee has the use of a Society vehicle this must be returned at the commencement of the disqualification.

The Vehicle Fleet Administrator keeps records of all Society vehicle and fixed camera fines. If the Vehicle Fleet Administrator receives a third notice/fine in any three year period, then the employee is contacted and asked to confirm how many points they have received in total.

Medical Suspension

Where a licence is surrendered/suspended the Society will endeavour to second or redeploy the employee on a temporary or permanent basis.

The employee will retain his/her current position and continue in the role using alternative means of transport until such time as redeployment is determined but for no longer than 55 days. During this period transit expenses will only be reimbursed up to the level that would otherwise have been incurred when driving for the relevant period. Where the main purpose of the employee's role is driving, the employee will be redeployed to an alternative role on a short term basis whilst more long term alternatives are considered.

If no redeployment or secondment can be found, the Society will terminate the employment on the 56th day following the suspension of the licence.

Where an employee can be redeployed or seconded their salary, where appropriate, will be reduced or red circled to fall in line with the rate for the role they are fulfilling.

If the employee has the use of a Society vehicle this must be returned at the commencement of the disqualification.

Non Essential Drivers issued with a Society Vehicle

Where an employee is provided with a Society vehicle which is not essential for their role (travels less than 14,000 miles per year on Society business) and subsequently is disqualified from driving the following rules will apply:

Disqualification lasting less than 56 days (SDP)

Where an employee is disqualified for less than 56 days they will return the Society vehicle which will be utilised as either a department or Society pool car for the period of disqualification. The vehicle will be returned to the employee at the end of the disqualification period.

All personal travel costs e.g. travel to and from place of work will be the liability of the employee and will not be reimbursed by the Society.

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On occasions where the employee has to travel to fulfil work obligations, travel will be provided or reimbursed in line with Society policies at that time.

Disqualification lasting 56 days or over/Medical Suspension

Where an employee is disqualified for 56 days or more, or is subject to a medical suspension of their licence, they will return the vehicle to the Society with immediate effect.

All personal travel costs e.g. travel to and from place of work will be the liability of the employee and will not be reimbursed by the Society.

On occasions where the employee has to travel to fulfil work obligations, travel will be provided or reimbursed in line with Society policies at that time.

At the end of the disqualification or medical suspension period a vehicle will be provided in line with the employee's status and car policy at that time.

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