

Escorting and Car Driving in Domiciliary Care Policy

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Introduction

Banquo is registered with the Care Quality Commission under the category of personal care. These regulated activities involve employees as support workers providing physical assistance to people in their own homes, in respect of such daily activities as eating and drinking, using the toilet, washing and bathing, dressing, mouth care, hair care and some skin and nail care.

Personal care can also involve a support worker prompting and supervising people to complete such tasks where the person receiving the care is unable to take decisions for themselves in respect of those tasks (but who do not necessarily require physical assistance).

Policy Statement

Banquo might also agree to provide a range of other non-regulated services to support a person to live independently in their own home such as cleaning, gardening, shopping and general household maintenance, which might be combined with personal care or as separate services.

How the different services are combined will be specified in the contract with the service user and/or any service commissioners involved and the person's care plan if one is required for the receipt of personal care.

In some cases, a service contract might include agency employees escorting a service user to take part in activities and events outside of their home, for example, to go shopping, to go to a social event or keep a medical appointment.

The role of escort is a legitimate one for support workers, which could be seen as integral to the provision of personal care for some service users, but not in every case. It can be carried out on foot or in connection with another mode of transport, including by car driven by the support worker, which could be their own car or a car owned and driven by the service user.

The act of driving does not itself fall within any definition of personal care. If support workers are to act as drivers or escorts to service users driving their own car, it is as a discretionary service and they should be permitted to do so only under certain conditions and circumstances, and following a full risk assessment.

Procedures

Where a support worker is used as a driver of their own or the service user's car or as an escort to the user as driver, the following arrangements and procedures apply.

Principles to be followed

- There must be a prior agreement made between the Banquo and the service user for support workers to act as drivers for service users or as escorts and any other passengers that they wish to have with them.
- The reasons for using support workers as drivers or escorts must be stated in the service user's contract and care plan, which should also include any limiting conditions.
- If car driving or escorting is to be a duty of support workers, it should be clearly stated in their job descriptions, when it is expected that on appointment (or inclusion in the job description) they will be competent drivers.
- Any agreement must be based on assessments of all risks to the safety of everyone involved including: to the passengers, drivers, vehicles used, weather and driving conditions and emergency arrangements. Risk assessments should include medication issues and general health and safety hazards that might be present.
- Where service users are the drivers and the carers are the passenger/escort, the agency will ascertain that the driver has an up to date driving license, has no history of being an unsafe driver and full insurance cover is in place.
- Otherwise, support workers should only consent to carrying out such duties if they regard themselves as competent, confident and content to carry out these duties, which includes being comfortable and confident in being driven by the service user in those instances where the service user is the driver.
- They should also be assured that any passengers will comply with all required safety procedures such as wearing seat belts; or if being driven the driver will not drive and use a hand held mobile phone or engage in similar unsafe behaviour. As drivers, support workers must not use handheld mobile phones or engage in any unsafe driving practices.
- Where it has not been built into a support worker's job description and the support worker does not consider he or she is suitable to act as driver for a service user for any reason (or where the carer considers that the service user is an unsafe driver), the service user will be expected to make alternative arrangements such as getting another driver or taxi service. This would not prevent a support worker from acting as an escort within these alternative arrangements in relation to the activities involved if this has been agreed as a required role in the service user agreement and care plan.

Roles and responsibilities

- Support workers should carry out driving or escorting duties with the service user as driver, only with the express permission of their manager and on the basis of a risk assessment.

- There should be a written agreement (as a separate agreement or written into the contract) with the service user and the support workers acting as drivers or escorts along the lines of:

“I [service user] agree that [names of driver(s)] will use my/their care to drive me and [anyone else] to [places] for the purpose of [reasons] on the following occasions [describe the arrangements]. [As owner of the vehicle to be used] I can produce evidence that it meets all legal requirements in terms of taxation, insurance and road worthiness.” [Followed by signatures and dates.]

Alternatively:

“I [service user] will drive my car to [places] for the purpose of [reasons] on the following occasions [describe the arrangements] with my nurse/carer as passenger. [As owner and driver of the vehicle to be used] I can produce evidence I am a safe, competent driver with an up-to-date driving license and I meet all legal requirements in terms of taxation, insurance and road worthiness.” [Followed by signatures and dates.]

- Support workers as escort drivers should have a full driving license clear of any penalty points (available to be seen on request by the service user and/or manager).
- If using their own car, it must be roadworthy, taxed and properly insured for the purpose and against loss, damage and personal injury and have seat belts that conform to current regulations.
- If driving service users' cars or acting as escorts to service users as drivers, they must ensure that the vehicle used is roadworthy, taxed and fully insured for third parties to drive and is properly insured against loss, damage and personal injury; it must be fitted with seat belts that conform to the current regulations.
- If children are to be driven, they must use car seats in line with current regulations. All adult passengers should wear seat belts in line with current regulations.
- The support worker driver as escort should have a mobile phone in case of emergency [but must not use it when driving]. They should always carry identification for themselves in case of emergency.
- Care staff should be given specific moving and handling training, where required, to support service users in safely accessing their vehicles, which might include transferring from a wheelchair to a car seat, etc. They should also be given training over any particular access/parking issues that they might have to address as drivers.

Children as passengers

The care service will ensure that all car seats should be correctly fitted, and be age and stage appropriate for the children using them. The children will be correctly strapped into them.

The law requires all children travelling in cars to use a suitable child restraint until they are either 135cm in height or the age of 12 (whichever they reach first). After this, they must use an adult seatbelt. It is advised that babies be transported in the rear of the vehicle, but where a baby is carried in the front then the baby seat must be suitable for that purpose and the passenger vehicle airbag disabled.

Children should normally travel in the rear of a car. Children must only be carried in baby seats that meet the required stage/group for that child's age or weight. It is the driver's responsibility to ensure that children under the age of 14 years are restrained correctly.

Child restraints (baby seats, child seats, booster seats and booster cushions) must conform to current regulations. Child safety locks should always be in use.

Manager's checklist

To form an agreement for support workers/nurses, acting as escorts/drivers, the following questions will be answered.

1. Is it clear what the purpose of the driving/escorting is in relation to the service user's plan of care/service agreement?
2. Is the driver (service user/carer) of the vehicle to be used fully licensed to drive the vehicle?
3. Is the vehicle being used fully taxed, insured and safe to drive with an up-to-date MOT where required?
4. Has the nominated driver any history of unsafe driving that would put anyone in the vehicle at risk?
5. Are the duties involved written in the support workers' job descriptions and contracts?
6. Have the support workers/nurses involved given their consent to drive the service user/being driven by the service user?
7. Are all parties comfortable with the proposed arrangements?
8. Who in the care service will be monitoring and reviewing the arrangements?
9. Are all the necessary safeguards in place to ensure all involved will be safe?
10. Is the care service satisfied that it has exercised its duty of care to both service users and to its employees involved in these arrangements?