


# The Paraplegic and Quadriplegic Association of SA Inc



## Transportation of Clients Policy and Procedure

### STATEMENT

The Paraplegic and Quadriplegic Association of South Australia Incorporated (PQSA) is committed to effective and accountable transportation of clients and workers during work time to meet service needs, safety responsibilities, and legislative requirements. This includes transportation of clients in their own cars or in a car owned by a worker of PQSA

Approved by: 	Date: 15/5/18
--	---------------

**The Paraplegic and Quadriplegic Association of SA Inc.(PQSA) is incorporated under the *Association Incorporation Act 1985 (SA)* and conducts its business through operating Divisions, namely Support Services and HomeCare+.**

*Please note that printed copies are not able to be controlled and the Shared Drive should always be referred to for the most current version.*

## **SCOPE**

Compliance with this policy is a condition of appointment for all workers engaged to provide services on behalf of PQSA.

## **DEFINITIONS**

**Client** – a person who receives services from any division of PQSA.

**Database** – a client/worker management list, usually maintained via a software program, which captures all client and worker data.

**Human Resource Information System (HRIS)** – a system which captures all worker data and is used to track worker training and personal information.

**Manager** – a person who is charged with the management or direction of PQSA and its divisions as determined from time to time.

**Must** – indicates a mandatory action required by law, industrial instrument, or a PQSA Policy or Procedure.

**Nominee** – for the purpose of this policy, a worker who has been delegated the responsibility of ensuring the currency of worker/client Agreements by a Manager/Supervisor.

**Should** – indicates a recommended action that should be followed unless there are sound reasons for taking a different course of action.

**Worker** – is a person who carries out work in any capacity for a person conducting a business or undertaking including work as an employee, contractor or subcontractor, an employee of a contractor or sub-contractor, an employee of a labour hire company, an outworker, apprentice or trainee, or a student gaining work experience, or a volunteer.

**Workplace** – is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work; this includes a motor vehicle.

## **RESPONSIBILITIES**

It is the responsibility of PQSA to communicate the contents of this policy to all workers on a regular basis.

*It is the responsibility of all workers and clients to obey the South Australian Road Rules and be courteous to all other road users.*

### **Manager or nominee responsibilities:**

- ◆ Ensuring that workers are familiar with their obligations in accordance with this policy

- ◆ Ensuring completion of applicable Agreement to Use Vehicle Form and recording all vehicle details correctly on the form
- ◆ Appropriate storage of each Agreement to Use Vehicle Form and accompanying documentation in the applicable electronic file (worker/client)
- ◆ Renewing all documentation as set out in this policy annually (upon renewal of the Client Support Plan)
- ◆ Maintaining a database of client and worker details relating to vehicles, required licenses and registration/insurance details as per the following procedures
- ◆ Ensuring that the worker's Registration, Compulsory Third Party and Comprehensive Car Insurance policy is current at the time of transporting clients
- ◆ Ensuring that an appropriate audit and risk assessment process is regularly undertaken to ensure worker's vehicle is safe for the transportation of clients.
- ◆ Where an incident involving the transportation of a client occurs, the Manager will investigate and, when the damage is a result of client behaviour, the cost of repairs or insurance excess will be paid by PQSA.

**Worker responsibilities:**

- ◆ Treat clients in a manner consistent with PQSA's values and the principles of good customer service.
- ◆ Must hold a current, P2 or unrestricted South Australian Licence or equivalent for the state in which they reside.
- ◆ Notify a PQSA Supervisor/Coordinator and the HR Department of any changes to licence conditions immediately

*Workers who hold an interstate or international license, but who reside in South Australia, and workers who hold a P1 driver's licence are NOT to transport clients or use PQSA vehicles*

- ◆ Immediately notify their Supervisor/Coordinator of any medical condition/s (including prescribed medications), licence cancellation or other restriction/s that may affect their ability to transport clients
- ◆ Have a zero blood level of alcohol and prohibited drugs whilst transporting clients
- ◆ Have current Registration and Compulsory Third Party Insurance and provide documentation upon renewal
- ◆ Have a roadworthy vehicle, ensuring it is mechanically safe
- ◆ Annually provide confirmation/receipt of recent mechanical service(s)
- ◆ Have a clean vehicle, free from clutter or debris that may cause injury
- ◆ Ensure all passengers wear a seatbelt and that these are in good working order
- ◆ Ensure clients are not left unsupervised in vehicles at any time

- ◆ Carry a mobile phone with a charged battery at all times when they are transporting clients - *the use of mobile phones whilst driving vehicles without the aid of a legally appropriate "hands free kit" is strictly prohibited*
- ◆ To pay for any fines resulting from traffic or parking violations whilst driving a client
- ◆ Comply with PQSA's No Smoking in the Workplace Policy and Procedures – a motor vehicle is a workplace and therefore a worker must not smoke in a motor vehicle whilst transporting clients and thirty (30) minutes prior to a shift when they will be transporting a client in their car
- ◆ Have a current First Aid Kit (supplied to all new Support Workers)
- ◆ If an incident/accident occurs whilst a worker of PQSA is transporting a client, the worker will be responsible for all repair costs including insurance excess, except where the incident/accident is a direct result of client behaviour
- ◆ Notify their Supervisor/Coordinator if there is a change of vehicle and provide new vehicle details.

**Client or nominee responsibilities:**

- ◆ Comply with the client's responsibility to ensure the health and safety of their workers whilst in the workplace. Clients must not smoke in a motor vehicle whilst being transported and thirty (30) minutes prior to a shift where their motor vehicle will be used for transportation
- ◆ Maintain their vehicle in a clean and roadworthy condition
- ◆ Annually provide confirmation/receipt of recent mechanical service (s).
- ◆ Have a current First Aid Kit
- ◆ Ensure there are no loose objects in the interior of the car that may cause injury
- ◆ Provide current Certificate of Registration and Compulsory Third Party Insurance when private vehicle is to be used for transportation
- ◆ Notify Supervisor/Coordinator if there is a change of vehicle and provide new vehicle details
- ◆ If an incident/accident occurs whilst a worker of PQSA is operating or is in a client vehicle, the client will be solely responsible for all repair costs including nominated excess cost.
- ◆ Where a worker is transporting children in a client's vehicle, it is the sole responsibility of the client's parent/guardian to have properly installed child restraints suitable to the child's age and size.

**The Human Resource Department responsibilities:**

- ◆ Recording workers' driver's licence details, where applicable.
- ◆ Monitoring workers' driver's licence renewals annually, where applicable.

## **POLICY**

PQSA is committed to being responsive to the needs of all clients and workers to build our service capacity to ensure a prompt response to the transportation of clients or other functions required to meet the business needs of PQSA. It is not a requirement of employment with PQSA for workers to be available to transport clients or to use a PQSA vehicle.

PQSA workers can only transport children in their own vehicle where the child requires a booster seat for safety or where the child can wear a seat belt without need for further safety devices. PQSA workers will not transport children who require a mandatory child car seat, in their private vehicles.

Where a specific program requires children to be transported, a commercial vehicle will be organized to ensure child safety.

## **PROCEDURES**

### **Internal Workers**

*The sighting of and review of internal worker driver's licences is the responsibility of the Human Resources Department.*

- ◆ Human Resource Department will advise Managers bi-annually via email that a worker's licence needs to be reviewed.

The Manager or their nominee will sight the licence, then document in an email to Human Resource Department nominee:

- ◆ Worker's Name
- ◆ Licence classification
- ◆ Expiry date.

Human Resource Department will update HRIS system with licence details.

### **PQSA Corporate Division will keep a register of all PQSA vehicles**

The register must contain the following information:

- ◆ Registration details of car including number and expiry date
- ◆ Insurance details of car, including Policy number and expiry date
- ◆ Maintenance program for each vehicle.

### **Client Transportation Forms Required**

Upon identification of transportation needs, the worker and client must complete the Agreement to Use Worker Vehicle Form or Agreement to use Client Vehicle form, whichever is applicable, and must supply the required documents as outlined on the relevant form.

The applicable Agreement to Use Vehicle Form must be completed and signed off by all parties and all required documentation acquired before a worker can commence transportation of a client.

### **Worker/Client Agreements when transporting clients:**

HomeCare+/Support Services nominee is to ensure the following:

1. The relevant Worker/Client Agreement form for transporting clients is completed.
2. Original Driver's Licence, Registration and Compulsory Third Party Insurance paperwork is sighted, scanned and saved into the appropriate electronic folder i.e. documents relating to a worker to be placed on worker's electronic file and documents relating to a client to be placed on client's electronic file.
3. Driver's licence, Registration and Compulsory Third Party Insurance expiry dates to be entered onto applicable database.
4. Monthly reports to be generated to identify expiry dates for Workers Driver's Licences and worker/client Registration/Compulsory Third Party Insurance to ensure currency of all details relating to the transportation of clients.

### **Client Behaviour**

All workers must make themselves aware of behaviour management information and plans for the clients for whom they are providing transport.

At the first sign of concern over the behaviour of a client, the worker will:

- Park in the nearest safe place
- Turn the engine off
- Attempt to calm the situation unless feeling threatened
- If necessary, get out of the vehicle
- Leave windows down, stay close to the vehicle.

*If the worker is feeling threatened or is injured they must call the police 000 and then the office.*

If the client wants to leave the vehicle, the worker will let them and follow at a safe distance. The worker is to follow the procedures as outlined in the WHS – Dealing with Exposure to Violent/ Abusive/Intimidating Behaviour Policy and Procedure.

### **Medical Emergencies in Vehicles**

The driver of the vehicle (unless they are unable) will take control during all vehicle or transport related emergencies.

In the event of a medical emergency, the driver must proceed as follows:

- ◆ Stop the vehicle in an area where it is deemed safe to do so
- ◆ Assess all persons' medical status

- ◆ Call an ambulance and apply first aid where necessary
- ◆ Call and inform PQSA
- ◆ Complete the applicable Incident/Concern Report Form.

### **Vehicle Breakdowns**

If a vehicle mechanical breakdown occurs, the worker will take immediate action to minimise the danger to clients and themselves to ensure safety. The worker will inform PQSA of any vehicle breakdown as soon as is practicable and safe to do so.

### **Motor Vehicle Accident**

Where the driver of a PQSA vehicle is involved in a motor vehicle accident or breakdown, they shall follow the procedures as set out in the PQSA Vehicle Standard Operating Procedures.

### **Emergency Procedures**

PQSA Hazard and Incident/Concern Report Forms are to be used to report any hazards or incidents during the transportation of clients which present a safety risk to the client and/or the worker – refer WHS Hazard Identification, Risk Assessment and Control Management Policy and Procedure.

## **RELATED LEGISLATION**

- ◆ Australian Standard (AS 1754) – Approved Child Restraints
- ◆ Civil Liability Act 1936
- ◆ Department for Communities and Social Inclusion – Disability Sector Code of Practice for the Transportation of Clients
- ◆ Disability Services Standard 6 – Service Management
- ◆ Motor Vehicles Act 1959
- ◆ Motor Accident Compensation Act 1999
- ◆ Passenger Transport Act 1994
- ◆ Passenger Transport Regulations 2009
- ◆ Road Traffic Act 1961
- ◆ Road Traffic (vehicle Standards) Rules 1999
- ◆ Work, Health and Safety Act 2012
- ◆ Work, Health and Safety Regulations 2012
- ◆ Return to Work Act 2014

## **SUPPORTING PQSA DOCUMENTATION**

- ◆ Agreement to Use Client Vehicle Form
- ◆ Agreement to Use Worker Vehicle Form
- ◆ Association Vehicle Policy and Procedure (Under Review)
- ◆ Behaviour Management Policy and Procedure
- ◆ Code of Ethical Behaviour Policy and Procedure
- ◆ DCSI Employment Screening Policy and Procedure
- ◆ Drivers Licence HR Procedure
- ◆ Drug and Alcohol Policy and Procedure
- ◆ Manual Handling of Clients Policy and Procedure
- ◆ PQSA Hazard Report Form
- ◆ PQSA Incident Report Form
- ◆ PQSA Position Descriptions
- ◆ Private Vehicles – Conditions of Use Form
- ◆ WHS – Dealing with Exposure to Violent/ Abusive/Intimidating Behaviour Policy and Procedure
- ◆ WHS - Hazard Identification, Risk Assessment and Control Management Policy and Procedure
- ◆ WHS - Vehicle Safety Management Policy and Procedure

## **BREACHES OF THIS POLICY**

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will PQSA accept such an argument.

## **DISTRIBUTION AND REVIEW**

PQSA will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed on a periodic basis or when legislation or government policy determines.