

## What happens if an allegation is made against a Driver or Passenger Assistant?

When an allegation is made against a Driver or Passenger Assistant it is treated seriously by the Council.

When a complaint, concern or allegation against a Driver and/or Passenger Assistant is received by the Transport Team we will ask for information about the incident. This may, if appropriate, involve our talking to a range of involved parties and securing advice from other professionals such as the LSCB safeguarding hub, Adult Social Care, Local Authority Designated Officer (LADO) and/or Police.

If the incident is found to not be a safeguarding related incident the Transport Team will address the matter under the terms and conditions of its contract with the Transport Operator.

If the incident meets the following criteria it will be referred to the LADO.

- The Driver or Passenger Assistant behaved in a way that has harmed, or may have harmed, a child
- The Driver or Passenger Assistant possibly committed a criminal offence against children, or related to a child
- The Driver or Passenger Assistant behaved towards a child or children in a way that indicates they may pose a risk of harm to children

The LADO's role is described at [www.cumbrialscb.com/professionals/lado.asp](http://www.cumbrialscb.com/professionals/lado.asp) and the allegations procedure that is followed can be found at [www.cumbrialscb.proceduresonline.com/chapters/p\\_alleg\\_against\\_staff.html](http://www.cumbrialscb.proceduresonline.com/chapters/p_alleg_against_staff.html)

When a formal investigation into an allegation commences the Transport Team will suspend the Driver and/or Passenger Assistant against whom the allegation is directed. The reason for the suspension of the Driver and/or Passenger Assistant is to protect them and the passenger during the investigation. Any action taken will be on the basis of English Law.

## Who do I contact if I have a safeguarding concern about a passenger?

If you believe that a child, young person or adult is at risk of immediate danger dial **999** and speak to the Police.

If you have an urgent concern about a child or young person please contact the Cumbria LSCB Safeguarding Hub on **0333 240 1727**.

If you have a safeguarding concern about a child or young person please speak to a teacher at their school.

If you have a safeguarding concern about an adult please contact the Adult Social Care team in the district where the adult lives:

Allerdale & Copeland	0300 303 3589
Barrow-in-Furness & South Lakeland	0300 303 2704
Carlisle & Eden	0300 303 3249

## What further safeguarding information is available?

The Cumbria Local Safeguarding Children Board and Cumbria Safeguarding Adults Board website's are a valuable source of Safeguarding information and training. The website addresses are:

- Local Safeguarding Children Board - [www.cumbrialscb.com](http://www.cumbrialscb.com)
- Safeguarding Adults at risk a Cumbria Partnership - [www.cumbriasab.org.uk](http://www.cumbriasab.org.uk)

## Who do I speak to about this guidance?

If you have any queries about the information in this guidance please contact the Council's Transport Procurement and Contracts Officer responsible for the District in which the Transport Operator is based:

Allerdale & Copeland	01228 22 1705
Barrow-in-Furness & South Lakeland	01228 22 6425
Carlisle & Eden	01228 22 6424

# Safeguarding passengers on Council Transport

Essential Safeguarding guidance for Transport Operators, Drivers and Passenger Assistants working on Council contracted transport

Revised April 2019

## Why is this guide important?

Drivers and Passenger Assistants working on Council transport contracts play an important part in the lives of the children, young people and adults that they transport to and from places of education and/or care.

Drivers and Passenger Assistants ensure transported children, young people and adults (hereafter passengers) arrive safely and on time at their intended destination. Drivers and Passenger Assistants can work on the same route with the same passengers for a number of years and during this time they often develop positive relationships with their passengers. As part of the service they interact with passengers when carrying out a range of tasks such as; assisting passengers onto and off the vehicle, ensuring they are seated and using a seat belt and driving safely.

Alongside these tasks Transport Operators, Drivers and Passenger Assistants are responsible for safeguarding passengers from harm while transporting them to and from their contracted destinations. Safeguarding passengers means acting in the best interest of the passenger to protect them from physical, sexual, emotional, psychological and financial abuse.

Drivers and Passenger Assistants with good intentions and a desire to provide a good service can at times behave, speak or act in a way that can be perceived by a passenger, parent, teacher or day care staff member in a way that it was not intended. Due to public concern about the health, wellbeing and safety of children, young people and adults at risk and the opportunities the role may provide for grooming, Drivers and Passenger Assistants need to act in a manner that protects themselves from allegations.

This guidance informs Transport Operators, Drivers and Passenger Assistants of the Council's requirements to safeguard passengers and when adhered to will protect them from possible allegations.

Transport Operators are expected to ensure that the Drivers and Passenger Assistants they employ recognise the seriousness of their obligation to safeguard passengers by providing a service that adheres to the requirements in this guide.

## What safeguarding requirements must Drivers and Passenger Assistants adhere to?

All of the safeguarding requirements that follow are intended to safeguard passengers from physical, sexual, emotional, psychological and financial abuse.

This is not a comprehensive or complete list of requirements, however if a Driver or Passenger Assistant is faced with a situation that is not covered by this guidance they should always act in the best interest of the passengers' health and wellbeing.

### General interactions with passengers

- Be aware that conversations with passengers or overheard by passengers may, even if it was not your intention, be interpreted as offensive or as harassment.
- Only instigate conversations and/or physical contact with passengers when it is appropriate and part of your role as a Driver and/or Passenger Assistant.
- Do not respond to inappropriate verbal or physical contact from a passenger.
- Do not give passengers gifts or money.
- Do not give passengers any food or sweets, this prevents a risk of passenger choking and/or allergic reaction.
- Do not treat a passenger more favourably than others by giving them preferential treatment that is not required by the contract.
- Do not tease, mock or speak critically of passengers, parents, schools or day care staff or others. Even if this is done in jest and without malice it will most likely be regarded as inappropriate.
- Drivers and Passenger Assistants must maintain a professional working relationship with passengers' parents and carers.

### Responding to inappropriate behaviour of passengers

- Do not accept physical or verbal abuse from a passenger. DO NOT respond yourself but report it immediately to the Transport Operator, your line manager, a member of the Transport Team or someone at the passenger's school or day care centre or when appropriate the Police.
- If a passenger initiates inappropriate verbal or physical contact with a Driver, Passenger Assistant or other passengers, report it immediately to the Transport Operator, your line manager, a member of the Transport Team or someone at the passenger's school or day care centre.
- It is advised that you record safeguarding related incidences, such as inappropriate verbal or physical contact initiated by a passenger, in a journey log book/ diary held by the Transport Operator.

### Relationships with passengers outside the work environment

- Be aware that contact with passengers outside the work environment, as a result of coming into contact with a passenger whilst working on a Council contracted route, may be regarded as grooming and could lead to an allegation.
- Do not give any of your personal contact information such as home address, telephone number, mobile phone number, email address, online account usernames to any passengers.
- Do not receive or ask for passengers' personal contact information such as their mobile phone number, email address or online account usernames.

### Digital media, mobile phones and handheld devices

- Only use a mobile phone during journeys, when it is legal and necessary to do so. Appropriate reasons for use include: getting help in the event of a breakdown or emergency and reporting journey delays and cancellations.
- Do not film, record the voice or take photographs of passengers with a mobile phone or other handheld device.
- Do not interact with passengers via online social media or mobile phone App services by accepting a friend invite, liking or commenting on their posts on social media services such as: Facebook; Twitter or What'sApp.
- Do not publish or share any comments, photographs, voice recording or videos of passengers online.
- Do not give or provide opportunity to passengers to view or hear inappropriate material that is printed such as a magazine or online material held on a mobile or handheld device.

### Journey routes

- Do not offer to or take passengers on trips to any location other than the contracted pick-up and drop off locations by the most direct route. This applies to trips in addition to the normal route and trips on days other than those on the contract route is provided.
- Do not divert from the most direct route, except when necessary due to road closures or diversions.
- Only take passengers to the drop off locations of the contracted route. Journeys must not include stops at laybys, public toilets, shops, businesses or residences that are not part of the contracted route. Drivers should ensure that they have adequate fuel to complete a route to avoid stops at petrol station or garages.

### Authorised Drivers, Passenger Assistants and Passengers

- Transport Operators are to ensure that only Drivers and Passenger Assistant that are authorised by the Council to work on Council transport routes do so. Failure to do so will lead to the Council terminating one or more contracts with the Transport Operator.
- Once authorised to work on Council transport Drivers and Passenger Assistants are provided with a Council ID Badge. The badge is a form of evidence that a Driver or Passenger Assistant has been authorised by the Council to work on the routes. If a parent, teacher, day care worker or passenger asks to see a Driver's or Passenger Assistant's badge the Driver or Passenger Assistant must show them their badge.
- Passengers are allocated by the Council to specific routes and vehicles. Driver have a list of passengers authorised to travel on their vehicle and routes. The Driver or Passenger Assistant must ensure that only passengers on their list travel on the vehicle.
- Drivers and Passenger Assistants must wear appropriate work wear, it is not appropriate to wear low cut tops, open toe sandals, high cut shorts etc.