Introduction/Background

Tristar Worldwide have a Duty of Care to their chauffeurs to help prevent harm occurring to their chauffeurs and any passengers, pedestrians and other road users as a result of engaging in potentially dangerous situations (e.g. driving a vehicle). Employers must assess the risks involved in their chauffeurs’ use of the road for work and put in place reasonably practicable measures to manage those risks.

Equally chauffeurs have a Duty of Care to themselves and Tristar Worldwide by complying with company policy and procedures and using the tools available to prevent harm within the scope of carrying out their jobs. Chauffeurs must ensure that they have sufficient rests and they must not drive when tired or unable to concentrate. Proper preparation prior to a journey should prevent this but, if it is a long journey, chauffeurs are expected to plan to stop periodically and agree this with the customer before setting off.

All chauffeurs will have received a Tristar Health & Safety Manual and a Driving Handbook. Together these documents include information on how to manage risk and ensure that you are not carrying out work whilst unduly tired. New copies can be requested from the Chauffeur Management team.

This Charter summarises some key aspects of Tristar’s Duty of Care policy and aims to cover the rules and circumstances on taking breaks along with the responsibilities of those involved. It highlights circumstances in which chauffeurs may request a break, the process for requesting a break, what constitutes a break (e.g. the length of time permitted) and the obligations of other people/departments within Tristar when a break is required and/or requested. The full Duty of Care policy is available from HR and it is recommended that chauffeurs familiarise themselves with the detailed policy.

Circumstances in which chauffeurs may request a break

* You are too tired to complete your shift (whether you can or cannot drive home);
* Refusing a job for safety reasons (i.e. you have not had a break or feel unable to continue safely);
* After 3 hours of continuous driving (or after 2 hours if driving at night);
* When your finish time means that you are not going to receive 7hrs rest time before your first job the following day (resulting in being ‘taken off first job of the day’);
* When POB, you may request a comfort break with the full consent of the passenger, preferably agreeing this with the passenger prior to departure;
* However, if a job is allocated to you – and it is estimated that you will complete that job within your core hours – then you are not permitted to refuse a job unless one of the above applies.

Process for requesting a break

* Select ‘take a break’ on your PDA (can only be done after your pricing is complete); this will alert Operations to the fact that you are taking a 20mins break (please note that the 20mins begins as soon as you select ‘take a break’; as well as selecting ‘take a break’ on your PDA you should:
  + *Telephone chauffeur Management/Support and request a break – speaking to someone is the best way of ensuring your request is acknowledged and acted promptly upon as PDA requests (‘exceptions’) can be missed in a busy operational environment.*
* In other circumstances (where selecting ‘take a break’ won’t suffice) you must advise Operations that you need to take a break, preferably before you have accepted – and certainly before you have started – your next job.

How long is a break?

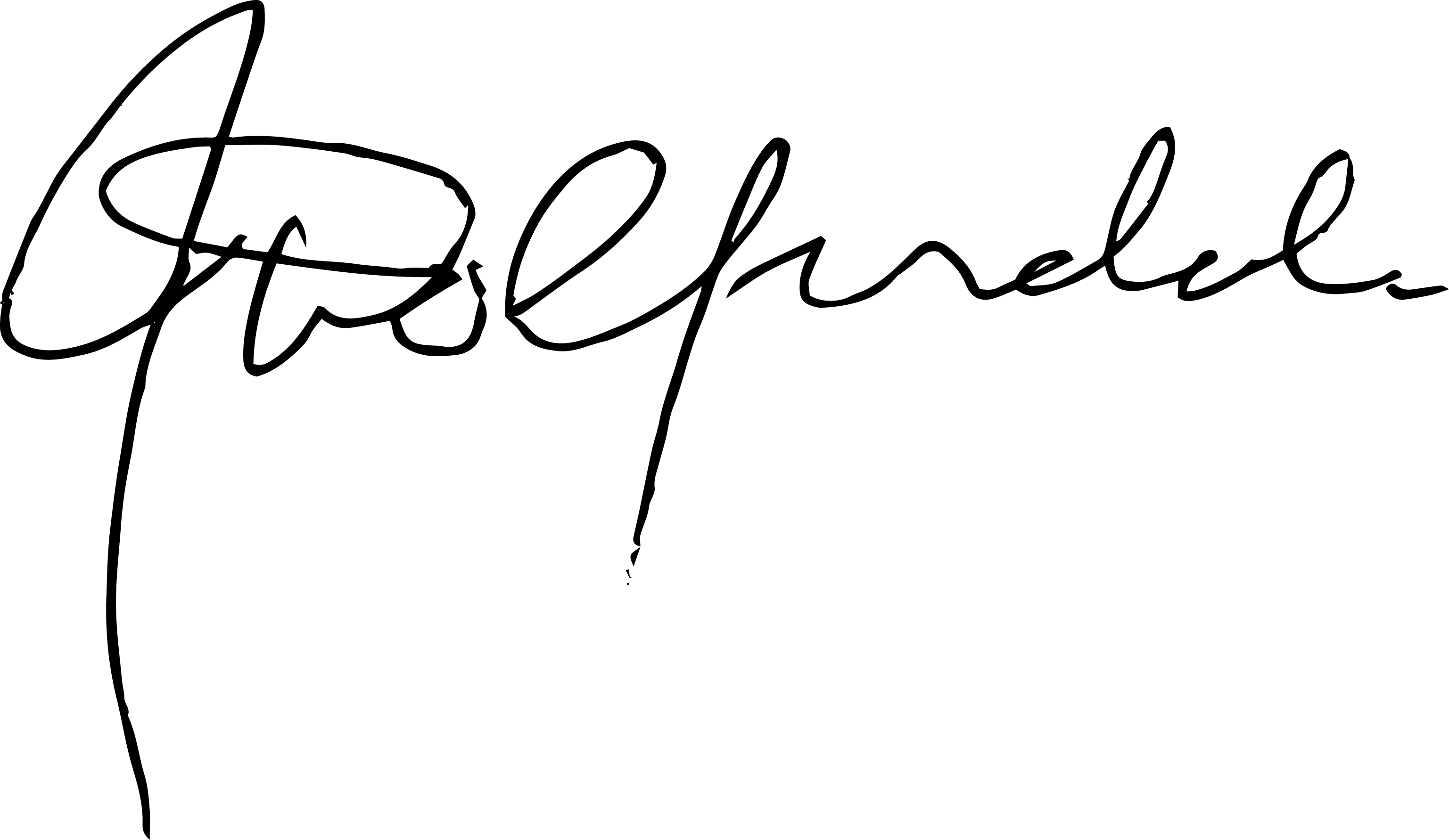
* A minimum of 7 hours ignition off time between shifts (overnight only);
* You are entitled to request – and you must specifically request this – 11 hours rest between shifts (overnight only and only once in a 24hr period);
* 20 minutes after 3 hours of continuous driving (or after 2 hours if driving at night[[1]](#footnote-1));
* 20 minutes if your shift or part shift exceeds 6 hours (if your shift is shorter than 6 hours then there is no entitlement to take a break unless you have driven continuously for 3 hours).

What constitutes a break?

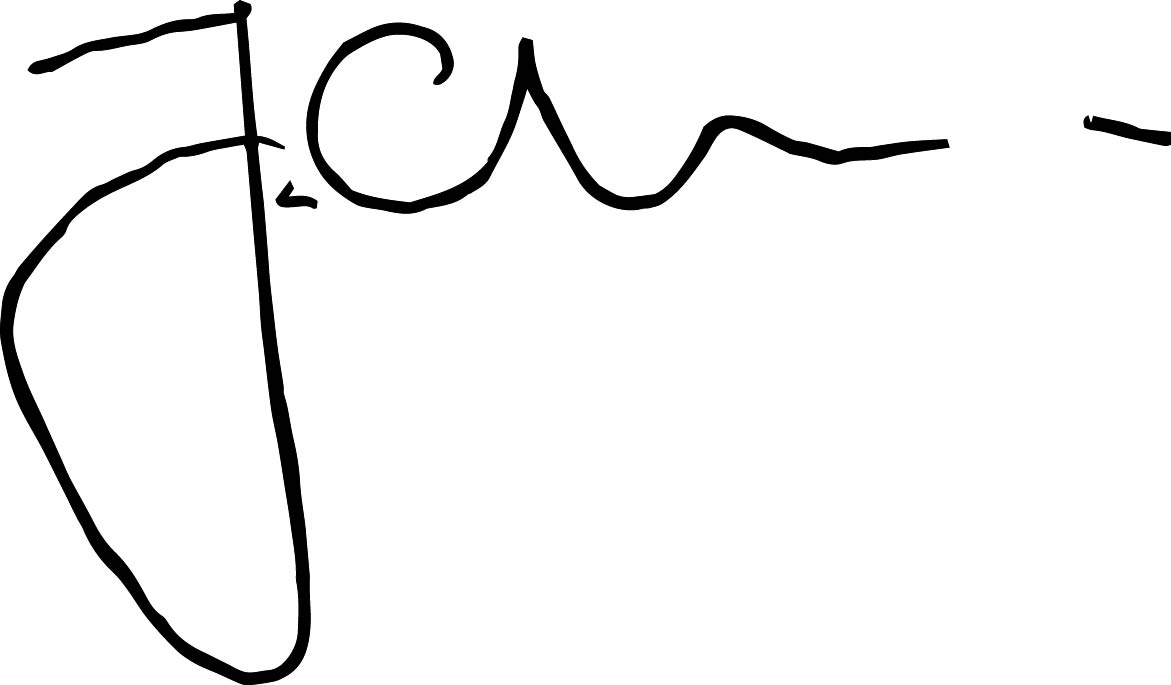
* Whilst waiting in the airport for an arriving flight (nameboard or bulk flight), prior to your passengers arriving;
* If you’ve been sent a job to collect PAX from the airport then you must take your break at the airport and not sat at the Base (waiting for your PAX in the canteen at Base is not permitted!);
* Whilst waiting for a passenger outside of a property, hotel, other address or in a car park – any opportunity where your ignition can be turned off and you may choose to get out of the car;
* A break does not include a situation where a chauffeur has to remain in the vehicle because of parking restrictions e.g. red route;
* Any opportunity where you are not driving to a job or POB when you can safely pull over and rest. You may choose to remain in your vehicle.

Obligations of other people/departments within Tristar

* Operations have a responsibility to help you and listen to – and act upon – your request for a break. They will monitor the ‘exceptions’ screen (where your PDA requests are sent to) or take phone calls and will ensure any relevant information is included on shift handover reports;
* Chauffeur Managers will take phone calls and can facilitate your request, however they don’t have access to the ‘exceptions’ screen; Operations will also answer calls but chauffeurs are reminded not to ask questions that are not critical or important (e.g. “I’ve just dropped off, what shall I do now?”);
* Operations will, wherever possible, monitor when you’ve been unable to take a break and will always call you before allocating you another job which doesn’t allow you sufficient rest time or is at risk of pushing you over your allotted hours;
* If you’ve arrived in Terminal 3 for a bulk flight meet then the Airport team will engage with you and advise you if you have enough time to go for a break away from the desk, especially so if you’re passenger has gone to Revivals – if you’re unsure then ask the desk for more information and if you have time for a break;
* Chauffeur Managers will monitor the ‘layover’ report to ensure you are getting a minimum of 7hrs rest between shifts;



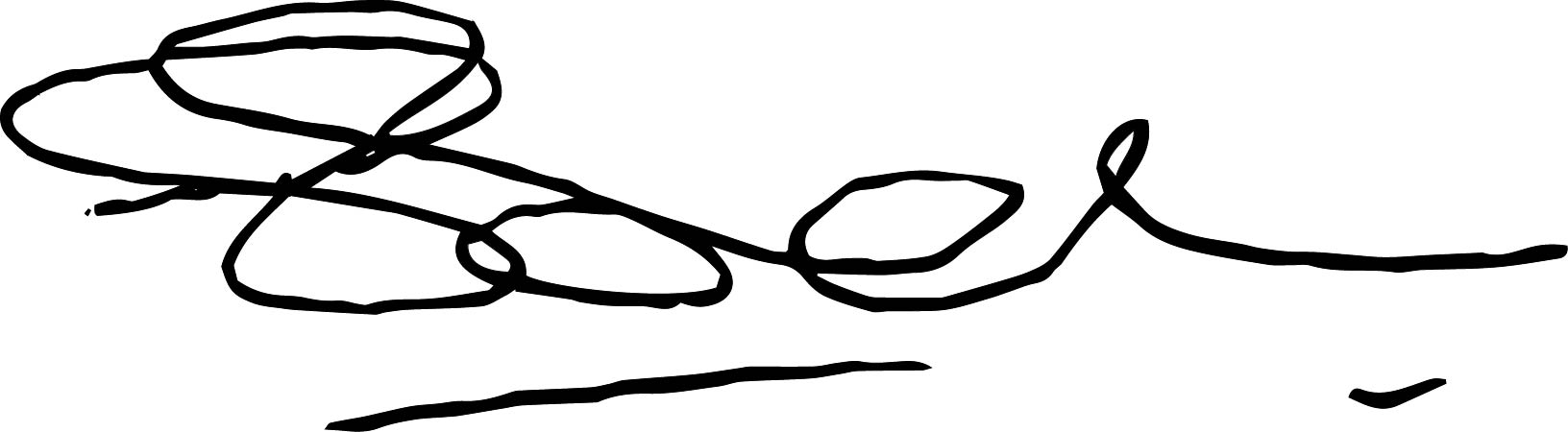
Endorsed by:



**James Allen Karen Curl John Wolfendale**

**General Manager HR Manager GMB Representative**

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**Sonia Sandhu Bob Radford Janusz Kozlowski**

**Airport Ops Manager Operations Manager H&S Committee Chair**

1. “Night” being defined as “lights on” [↑](#footnote-ref-1)