

POLICY FOR HEALTH AND SAFETY

PART C ARRANGEMENTS

Section 34

DRIVING AT WORK (GREY FLEET)

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1.0 INTRODUCTION

Employees are often required to travel during working hours to other premises, seminars, networking events and to existing or potential customers and clients. They may also be required to carry passengers including children and loads such as boxes of leaflets, tools, etc. In general, they will use their own cars for this and claim mileage allowance.

Privately owned vehicles that are used for occasional journeys at work or if an employee rents a vehicle to use for work are commonly referred to as '**grey fleet**'. It has been estimated that up to a third of all road traffic accidents involve somebody who is 'at work' at the time.

Managing the duty of care to employees driving for work is a legal requirement, and this includes employees driving their own vehicles for work. In certain circumstances both the employer and staff can be prosecuted for road traffic accidents and offences involving work-related journeys, even when the driver is using their own vehicle.

The Council is committed to fulfilling its obligations under Health and Safety legislation with regard to driving at work. Guidance on driving LBB vehicles on work business is given in the Council's Operational Transport Policy.

This document sets out the Council's arrangements for reducing the risk of road accidents and associated risks, whilst using personal vehicles on Council business, and establishes corporate standards to assist Directors in managing this. It should be read in conjunction with HR Policies and Procedures on car allowances.

1.1 Statutory Requirements

The Health and Safety at Work Act 1974 requires employers to ensure, so far as is reasonably practicable, the health and safety of all employees while at work. Employers also have a responsibility to ensure that others are not put at risk by employee work-related driving activities.

Under the **Management of Health and Safety at Work Regulations 1999**, employers have a responsibility to manage health and safety effectively. This includes carrying out an assessment of the risks to the health and safety of their employees, while they are at work and to other people who may be affected by their work activities, including driving. The regulations require employers to periodically review the risk assessment so that it remains appropriate.

In addition to the duties above, employers have a duty under road traffic law: **Road Traffic Act 1988 and Road Vehicle (Construction and Use) Regulations 1986**, which are administered by the police and other agencies such as the Vehicle and Operator Services Agency.

1.2 Safe System of Work

All Directors should develop, implement and maintain safe systems of work, with respect to reducing occupational risks to employees who are required to drive as part of their employment. In general terms the following principles should be followed:

- Eliminate the risks by avoiding driving, for example, by holding video, telephone conferences or using public transport.

- Consider the use of alternative forms of travel, providing they do not introduce additional risk
- Ensure that staff are aware of their responsibility to ensure their vehicle is regularly maintained to reduce the risk of vehicle failure. This maintenance must include safety devices fitted such as seat belts and airbags.
- Ensure that when additional devices such as restraints and seats are provided, for carrying passengers, especially children, that staff are instructed in the correct fitting and operation of these devices.
- Ensure staff are aware of the Council policy of using mobile phones/devices whilst driving
- Ensure that staff are aware of their responsibility to follow the requirements of the Highway Code.

1.3 Other Requirements

Any accident in a vehicle that involves an injury must be recorded on the Council's accident reporting system. Any serious accidents must be notified to the line manager and the Safety, Health and Wellbeing team as soon as possible.

2.0 ROLES AND RESPONSIBILITIES

2.1 Directors

Directors must ensure that the policy is implemented within their services and regularly monitored.

2.2 Line Managers

- Must bring this policy to the attention of all staff within their control, who may drive for the purpose of work and ensure it is adhered to.
- Ensure all employees under their control using their own personal vehicles for business are covered by their insurance, have current MOT as required by law and current full driving licence.
- Ensure that the risks to staff are considered and records kept
- Ensure that they have an understanding of work related road safety issues faced by staff.
- Ensure that related written risk assessments, such as manual handling if carrying loads, or lone working if working alone, are carried out where appropriate (Risk assessment information is available in Corporate Health, Safety and Welfare Arrangement No. 1 Management of Health and Safety).

2.3 Staff must:

- Co-operate with this policy.
- Ensure their vehicle is taxed and has valid MOT
- Ensure their car is insured and includes business cover for the amount and type of business use they undertake
- Ensure their vehicle is properly maintained to ensure its safe operation

- Ensure that the car is 'road legal' (lights, tyres, brakes, etc.)
- Report any road safety problems, including incidents, accidents and any summons and conviction for serious driving offences to their line manager.
- Cooperate with monitoring, reporting and investigation procedures in the event of an accident or incident.
- Present their driving licence for periodic inspection to their line manager when requested.
- Complete the evidence form (Appendix 1) and submit relevant original documentation to their line manager with 10 working days.
- Complete the Self-Assessment form (Appendix 2), especially if regularly carrying passengers or loads.
- Employees that are not registered in the vehicle log book (V5) must produce a valid insurance policy, which states they can drive the vehicle.
- Inform their line manager if they reach nine penalty points on their licence.

2.4 Agency staff

Vehicles belonging to and used by agency staff must complete the evidence form (Appendix 1) and have evidence available for inspection upon request by the Council. If the driver does not possess the relevant documentation they will not be able to use the vehicle to carry out Council business.

3.0 ARRANGEMENTS

3.1 Risk Assessment

Risk assessments carried out for work activities should include any driving activities. The assessment should be appropriate to the level of risk, the work activity and be carried out by a competent person; further information can be found in Corporate Health, Safety and Welfare Arrangement No. 1 Management of Health and Safety.

Managers must ensure staff complete a self assessment form (Appendix 2), which will determine the extent of that driving, the likely risk to the individual and training requirements.

3.2 The Driving Job/Task/Load

The manager should consider if any additional control measures and training are required for that task/employee. This is especially relevant if they are transporting passengers, using devices such as child seats, etc.

3.3 Documentation

Employees identified as using personal vehicles for business purposes, will be issued with the employees insurance and MOT evidence form (**appendix1**). It is the responsibility of the driver to complete the form and submit to their line manager.

3.4 Driver health

Drivers must satisfy the eyesight requirements required by law. Drivers should also inform their manager if they are taking a course of medicine or if there are any other issues that may affect their ability to drive.

3.5 The Vehicle

Suitability of Vehicle

Staff must ensure that any vehicle used should be suitable for the task, loads being carried and needs of any passengers who may be carried for example number of doors, rear seatbelts, child seats, load space, etc. If staff are concerned over the suitability of the vehicle or are not sure of its suitability they must raise this with their manager.

Vehicle Condition

Vehicles must be maintained in a safe condition. To assist in this, the following questions may be of use:

- Does the member of staff ensure that servicing/maintenance and repairs are carried out in accordance with manufacturer's recommendations?
- Can any goods that are being transported be properly secured?

3.6 Accidents and Offences

All accidents involving Council employees when driving as part of their working activity should be reported and investigated in the normal manner as detailed in the Corporate Health and Safety Policy.

In the event that a driver is involved in an accident or is prosecuted for an offence whilst driving on work business, line managers should carry out a review to determine if the employee is fit to continue with their driving duties. This review should be based upon the drivers past performance, the seriousness of the offence, and their health condition along with any other relevant information.

4.0 MONITORING AND REVIEW

Line managers are responsible for performing periodic checks of documents of drivers who regularly use their vehicles for work purposes. This will include checks of the driver's licence, MOT and motor insurance policy. Where necessary, line managers are also responsible for discussing driving at work with their staff during staff appraisal and team meetings.

Insurance and MOT Evidence Form

Date:

Employee/ Driver Name:

Telephone / Ext No:

Service:

Line Manager Name:

Telephone / Ext No:

Employee Insurance Details

- Person has current insurance cover until (enter date):
- Insurance certificate states that there is cover for business purposes: Y / N
- Vehicle has valid MOT : Y / N / NA
- Driver has a valid driving licence: Y / N

Evidence must be provided in original documentation, copies taken and kept on file

Drivers name :		Managers Name	
Job title:		Date of assessment	
Directorate/Department/service		Review date	

1.0 The Driver

No	Question	Y	N	N/A
1.1	Do you have access to the Council policy and procedures relating driving and road safety?			
1.2	Do you hold valid/current driving licence and insurance policy suitable for the activity and vehicle?			
1.3	Have you had any necessary training and experience for the driving the type of vehicle required?			
1.4	Are you aware of the action to take in the event of a breakdown to ensure your own safety			
1.5	Are you aware of the dangers of driving whilst tired and what action to take?			
1.6	Are you aware of the restrictions in place for the use of mobile phones in vehicles?			
1.7	Are you aware of the need to keep the vehicle locked and secure when unattended?			
1.8	Are you aware of the hazards and the legal consequences of driving whilst under the influence of drink, drugs or certain medication?			
1.9	Do you have any health problems, which could affect your ability to drive?			
1.10	If yes to 1.9, has occupational health been involved?			
1.11	Are you pregnant, if yes, has pregnancy risk assessment been carried out?			

2.0 The Vehicle

No	Question	Y	N	N/A
2.1	Is the vehicle used for carrying tools and equipments, If yes is there sufficient space for these?			
2.2	If the tools or equipments are large, does the design of the boot or interior cause a problem with loading and unloading?			
2.3	If the vehicle is used for carrying children are adequate restraints fitted and do you know how to obtain, fit and use relevant seats/cushions?			
2.4	Can the vehicle be locked with you inside?			
2.5	Is your vehicle regularly serviced/maintained?			
2.5	Does the vehicle have a valid MOT certificate as required by law?			

3.0 The Task

No	Question	Y	N	N/A
3.1	Does the job require carrying of equipment/tools that requires a Manual Handling Assessment to be completed?			
3.2	Are hazardous chemicals or waste carried in the vehicle that requires a COSHH assessment to be completed?			
3.3	Is money (other than personal) carried in the vehicle?			
3.4	Are you required to drive for long hours continuously or for long distances?			

Drivers Signature:

Managers Signature:

SAFE DRIVING GUIDANCE

This guidance is intended for all vehicle drivers and contains following sections:

- A. Vehicle condition and Journey Planning**
- B. Travelling alone**
- C. Motorway Breakdown**
- D. Use of Mobile Phone**
- E. Driving when Pregnant**
- F. Weather conditions**
- G. Smoking**

A. Vehicle condition:

The driver is responsible for ensuring the vehicle is road worthy, they should do this by;

- Keeping the vehicle well maintained at all times including regular servicing
- Keeping the vehicle legal – condition, taxation, insurance, MOT
- Regularly checking the vehicle (tyres, brakes, lights, etc.) especially before significant journeys
- Ensure there is appropriate “rescue” equipment, if necessary and appropriate to the journey, in the vehicle, this may include; mobile phone, first aid kit, spare tyre, and torch.

Journey Planning

Drivers should consider the journey or journeys to be taken including the distances to be travelled, the frequency of travelling. When the journey is to take place, where the journey will end and the types of road to be used. Consideration should be given to the following:

- Planning of the routes to be taken to avoid hazards and possible restrictions (such as low bridges)
- Scheduling of the work to ensure that periods of sleepiness for example early hours of the morning are avoided
- Sufficient time should be given to complete the journey without putting the driver under pressure and encouraging them to exceed speed limits.
- When long journeys are expected, consideration should be given to making an overnight stay rather than completing a long journey at the end of the working day
- Elimination of fatigue by reducing journey length and by allowing sufficient breaks (the Highway Code recommends 15 minutes for every two hours of driving)
- Weather conditions may cause additional hazards such as ice, snow or excessive water which may lengthen the length of the journey.
- Drivers have adequate information in respect of the journey and destination

B. Travelling Alone

A lone driver should consider extra personal safety measures in addition to the consideration listed above to minimise the risk of an accident whilst driving for work:

- If you have a mobile phone ensure it is fully charged, with emergency contacts and breakdown company numbers already stored.
- Report in to your manager or other appointed person regularly especial at the end of the day or on arrival following a long journey.
- Plan the route properly to ensure there is no need to map-read whilst driving.
- Whenever you stop choose a safe, well –lit and public place
- Avoid conflict on the road
- Never pick up hitchhikers.
- Keep the doors locked when driving.
- If approached by any person, do not get out of the car – lock the door and conduct the conversation through a small gap in window.
- If you are stopped by the police you are entitled to verify their identity before exiting the vehicle.

Random theft at traffic lights has also become a concern therefore think about your personal safety in relation to such incidents:

- Keep valuables out of sight when driving.
- Lock doors if driving alone, particularly at night.
- Have keys in your hand as you approach the vehicle and check the interior before entering.
- Park in an official car park, preferably one that is manned and well lit.

C. Motorway Breakdown

The police run regular patrols on the motorway, but there is always the chance that they may be called away to attend an accident. You may find there is long delay.

As soon as you are aware that you are in trouble you should:

- Pull over to the hard shoulder as far to the left as possible.
- **Never** reverse on the hard shoulder or across the carriageways.
- Switch on your hazard lights
- You need not stop straight away; often you will be able to coast for quite a distance.
- Aim to reach one of the emergency telephones.
- Wait for help within vicinity of the vehicle; do not wait inside the vehicle.

Emergency telephones are available for use in an emergency by anyone; you do not have to be a member of the AA/RAC, etc. to summon help. If you cannot stop right next to the telephone, look for one of the marker posts which will show you the direction to the nearest one. The telephones are a mile apart, so you will never have to walk more than half a mile.

If they are out of order, whenever possible, extra police cars will be sent to patrol the motorway. Even if you have a mobile phone, you should still attempt to use the emergency telephones to inform the motorway police, as these telephones pin point your position exactly.

Whilst using one of the emergency phones, stand behind it facing the oncoming traffic, this will enable you to see if anyone is approaching.

If you are a woman travelling alone tell them and your call will be given priority.

D. Use of Mobile Phones

The use of hand held phones whilst driving has been cited as the cause of a number of serious and fatal vehicle accidents.

Using a mobile phone whilst driving takes the driver's attention and concentration away from what is happening on the road. Any lapse in concentration and attention from driving due to other distractions such as a phone call could cause a collision and result in possible serious injury or fatalities.

From a safety point of view, all use of mobile phones is prohibited while the vehicle is being driven, even hands-free units, as drivers cannot fully concentrate on driving if they have to process and respond to phone calls. If the phone has to be left on, the driver should pull off the road (in a safe position) to make or take a call.

You are instructed **NOT** to use any mobile phone or similar device whether issued to you by the Council or your personal phone, when driving whilst on Council business, this includes sitting in traffic jams. If you need to use the phone or device, for whatever reason, you must find a safe place to park, switch your engine off and only then use it. It is a good idea to divert all incoming calls to voicemail before you set off and then you can retrieve any messages left once you have found a safe place to stop.

The use of hands free kits is permitted but only if they are fully independent of the phone, in other words you don't have to hold the phone to use it. In exceptional circumstances, for example those members of staff whose jobs mean they have to use their phones in emergencies, hands free kits may be provided but this will be at the discretion of the relevant Head of Service. Remember though that if you use a hands free kit you must do so safely and remain in "proper control of your vehicle", failure to do this could result in prosecution under other Legislation. Always, where practicable, find somewhere safe to stop before using the phone's hands free option. For all other staff hands free kits will not be provided and you should follow the instructions given in the previous paragraph.

Exemptions

The use of two-way radios is not covered by this Legislation although staff could still find themselves charged with "failure to have proper control of your vehicle" under other legislation. Staff using these should do so sensibly and without risk to themselves or other road users. Any combined two-way radio/mobile phone is NOT except from the regulations

You can also use a phone if you must make a call to the emergency services but only if it is unsafe or impractical to stop.

E. Posture and Driving Comfort

When driving you move very little and your range of movements are restricted, by the position of the hand and for controls. This sustained sitting position together with poor posture is responsible for many painful back, neck and shoulder problems experienced by drivers.

Before setting off take time to position yourself correctly in the vehicle.

- Make sure the car seat provides support for small of your back. It may pay to invest in a lumbar roll.

- Adjust the seat position before and after movement, so that you can reach pedals and steering wheel without stretching. The knees should be slightly bent and the heights supported by seat cushion.
- Ensure the seat belt goes comfortably across your body.
- Keep your hands a comfortable distance apart on the steering wheel and your arms slightly bent.
- Adjust the interior and exterior mirrors every time you enter the car to provide the best possible backward views.

Wherever possible, take a break for 15 minutes every two hours driving. The important thing is to recognise when you need to stop and get out stretching your legs. Take a short walk to help your circulation and generally wake yourself up.

F. Driving when Pregnant

Pregnant women can experience further discomfort whilst driving; this is due to physical changes during their pregnancy. Depending on the stage of pregnancy, pregnant women drivers are advised to;

- Review the extent of distance driving, particularly the later stages of pregnancy.
- Obtain a mobile phone where it is not already allocated
- Consider using devices that are available to adjust the pressure points when wearing a seatbelt.
- Adjust journey plans to take account of the need for increased rest breaks.

G. Weather conditions

Whilst it is not possible to alter the weather the driver can alter his/her own actions in adverse weather conditions, such as snow or high winds, when planning journeys;

- Can the journey times and routes be rescheduled to take into account adverse weather condition
- Regularly check weather bulletins and follow any travel advice given.
- If journey can not be avoided and can be safely started you should;
 - Ensure the vehicle is equipped and fully fuelled for the journey,
 - Moderate your driving style to fit not only the legal requirement but also the road conditions – slow down,
 - Use fog lamps when your visibility is restricted and use screen demisters
 - Review the safety equipment you carry and adjust it to suit the adverse weather, for example carry a car blanket or warm clothing in winter and a flask of hot fluids.

H. Smoking

Although there is no legal requirement for drivers not to smoke in their own private vehicles, when travelling for Council business alone, there is a legal requirement not to smoke at all times if you are transporting passengers as part of work activity.