



Driving at Work Policy

ORGANISATIONAL DEVELOPMENT DIVISION

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Version Control

This document is intended for:

Council staff only School-based staff only Council & School-based staff

Version	Key Changes	Approved By	Date
1.0	Original Document	CLT	September 2022

This document may be reviewed and amended at any time and without consultation in response to legal requirements, in line with best practice or in response to an organisational requirement and where the changes do not affect the spirit or intent of the document.

1. Introduction

The Authority is committed to reducing the risk of work-related road traffic crashes and collisions. The following policy sets out our commitment and provides guidance to enable the workforce to drive safely and enable compliance with the policy and related legislation.

Up to 1 in 3 road crashes involves a vehicle being driven for work. Every week around 200 road deaths or serious injuries involve someone driving for work. Many of these deaths and injuries could have been prevented.

The Authority recognises that there are many journeys undertaken by employees and others in vehicles owned, leased or hired by the Council and in private vehicles solely for the purposes of business and this includes transporting clients or members of the public.

2. Scope

This policy applies to all employees, elected members, volunteers and agency workers who are driving at work. This is to provide clear guidance to managers, employee and others on the requirements when fulfilling their duties whilst driving at work. This also include school based staff.

3. Legislation

There is a range of legislation that is applicable to driving for work which include:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- The Workplace (Health, Safety and Welfare) Regulations 1992
- Road Traffic Acts supported by the Highway Code EC Drivers' Hours Rules UK Domestic Drivers' Hours Rules Tachograph Regulations
- The Road Transport (Working Times) Regulations 2005
- Road Safety Act 2006
- The Road Vehicles (Construction and Use) Regulations 1996
- Corporate Manslaughter and Corporate Homicide Act 2007

You must be aware of and be able to apply the rules in The Highway Code. The Highway Code is available at <https://www.gov.uk/guidance/the-highway-code>.

Each of these contains provisions which stipulate that non-compliance is a criminal offence and set out the penalties for such offences. The penalties on conviction include fines, imprisonment or both. Those with managerial responsibility within the CCG, as well as the corporate body, may be prosecuted.

4. Definitions

For the purposes of this policy the following definitions apply:

- **Driving at Work**
Refers to any work carried out on Authority business that involves the employee driving a vehicle and covers all journeys other than to and from their home to normal place of work.
- **Council Vehicle**
Any vehicle owned, leased or hired by the Authority
- **Private Vehicle**
Any vehicle used by a person driving on Authority business which is not owned, leased or hired by the Authority
- **Minibus**
A vehicle that can carry 9-16 passengers plus the driver

5. Application

The following policy and guidance apply to all staff who drive for any Authority business:

- Either regularly as an integral part of their work (e.g., waste collection staff), or occasionally to perform a specific function or duty (e.g., to attend a meeting), and;
- Whether they drive an Authority owned, leased, hired or privately owned vehicle.

This policy does not apply to driving for commuting purposes (i.e. to or from the employees' home to their normal place of work)

Typical Situations where the Policy Will Apply

Driving Activities that are undertaken by many of the sections of the Authority. Examples of activities could include:

- Transporting children and their families by Family Services
- Transporting young people by Youth Services
- Delivering meals and other items
- Travelling between Authority sites to undertake visits
- Travelling between School sites
- Driving refuse and road repair vehicles

6. Roles and Responsibilities

6.1 Line Managers

Managers are responsible for annually:

- ensuring staff receive appropriate help and advice in relation to vehicle safety.
- undertake annual checks of original vehicle and driver documents and record copies. Including:
 - Driver's licence
 - MOT certificated (where appropriate)
 - Driving for Business Insurance
- regularly reinforce the importance of safe driving and record this
- ensuring that employees involved in accidents in the course of their work receive the appropriate support and participate in any appropriate accident investigation and recommendations and notify the Health & Safety Advisor of any work related driving accidents for monitoring purposes.
- make it clear that the employee must maintain their vehicle in a roadworthy condition if they are to use their own vehicle for work
- remind employees of their responsibilities in respect of workplace car lease agreements if appropriate.
- remind employees that they are to be informed of any change in circumstances that may impact on the employee's ability to drive. Anything brought to the attention of the line manager must be acted upon.
- ensure that employees have suitable breaks when driving in order to prevent fatigue.

6.2 Staff Responsibilities

Staff are responsible for ensuring that they:

- have a valid driving licence appropriate to the type of vehicle(s) to be driven. More information on driving licence categories is available at <https://www.gov.uk/driving-licence-categories>
- are medically fit to drive. More information is available at [Check if a health condition affects your driving - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/urls/check-if-a-health-condition-affects-your-driving)
- confirm that their eyesight meets the requirements set out in the Highway Code <https://www.highwaycodeuk.co.uk/rules-for-drivers-and-motorcyclists-fitness-to-drive.html>
- inform their line manager immediately of any motoring convictions (including penalty points) or periods of disqualification;
- ensure their insurance policy includes business cover for the amount and type of business mileage they undertake; employees who do not have business insurance are able to drive to and from work, nothing in between.
- ensure that their vehicle is taxed and has a valid MOT if applicable.
- do not use a hand-held mobile phone whilst driving;

- comply with the legislation with regard to the wearing of seatbelts whilst driving and make every effort to enforce the wearing of seatbelts for adult passengers in their vehicles;
- are satisfied that prior to any journey that the vehicle they are driving is fit for its purpose and roadworthy;
- inform the person in charge of the vehicle if they become aware of any faults;
- are adequately insured to use their private vehicle for business;
- report any accidents or incidents whilst driving on Authority business;
- co-operate with any reporting and investigation procedures in the event of an accident or incident.
- never drive defective vehicles;
- adhere to all policies relating to the use of lease and/or pool cars.
- be aware of what action needs to be taken in an emergency situation
- ensure they are physically fit to drive

Any vehicle you drive on Council business must also have:

- insurance that is appropriate for business use
- appropriate and valid road tax
- a valid MOT certificate (if the vehicle is more than 3 years old)

It is also advisable that your vehicle has:

- been serviced according to the manufacturer's recommendations
- emergency breakdown cover that will provide roadside assistance or for the vehicle to be towed if a roadside repair is not possible

7. Alcohol/Drugs

The Authority has an Alcohol and Substance Misuse Policy which states that employees have a responsibility to ensure that they do not consume alcohol or use substances inappropriately at any time when they intend to work before the effects have worn off. This includes when driving a vehicle during working hours. It is also illegal to drive while under the influence of alcohol and/or drugs

You should not drive if you are under the influence of alcohol or drugs.

It can take several hours for the intoxicating effects of alcohol or drugs to subside.

You should seek advice from your GP when being prescribed drugs of any kind on how they may affect your ability to drive. You must report anything that could impair your driving abilities immediately to your line manager.

If you are found to have been under the influence of an intoxicating substance while driving at work (following intervention from the Police) it will be investigated and could result in disciplinary action being taken.

8. In-Vehicle Technology

The use of in-vehicle technology, like mobile phones, satnav or audio systems, can distract a driver and increase the risk of accident. Distracted drivers generally underestimate the effects that distraction has on them and do not perceive any reduction in awareness or ability to spot hazards. You must familiarise yourself with the safe use of in-vehicle systems before starting your journey and avoid making adjustments while driving.

It is an offence to use a handheld mobile telephone or similar device whilst driving whether speaking, sending or receiving texts messages, still or moving pictures or Internet access.

It is the Authority's policy that you should not use a mobile phone with or without a hands free device when you are driving or while your vehicle's engine is running due to the risk of distraction and/or prosecution for driving carelessly or dangerously which can include disqualification, a large fine and up to two (2) years imprisonment.

A conversation on a hands-free phone is no less a distraction than using a hand-held one.

The only time a driver may use a mobile phone is to call 999 or 112 in response to a genuine emergency when it is unsafe or impractical to stop to make the call.

If you are stopped by the Police and cautioned or charged you must report this to your line manager immediately. You can carry hand-held mobile phones in your vehicle but must be safely parked with the engine switched off before making or receiving a call. It is not reasonable for your supervisor or line manager to expect you to answer your phone whilst driving.

To help keep you and other road users safe you should:

- not make or receive calls, send or read texts or e-mails or otherwise use a mobile phone while driving.
- switch off mobile phones whenever possible while driving and use voicemail facilities
- only pick up and respond to messages when it is safe to do so
- satisfy normal business needs by checking mobile phones before or after driving or during a break in your journey

Just like mobile phones the use of other equipment like SatNav and entertainment systems can be a significant distraction while driving. You should avoid adjusting or operating any equipment while driving. The SatNav should be set before your journey commences and any adjustments should only be when safely stopped.

9. Eyesight

Having good eyesight is one of the most basic requirements of safe driving. It is the responsibility of the driver to ensure their eyesight is checked regularly as many people's eyesight deteriorates over time - sometimes without them noticing.

By law, all drivers must be able to read, in good daylight, a number plate at 20 metres. You must also have a field of vision of 120 degrees, be able to see clearly at night and not have double vision. If glasses or contact lenses are required to meet the legal minimum eyesight requirements, these must be worn while driving.

If you require glasses or contact lenses to meet these standards, then they **must be worn at all times during the driving of an Authority vehicle.**

If a driver on checking his or her eyesight fails to read the number plate at the correct distance that person would not be allowed to drive an Authority or hired vehicle until measures are taken to satisfy the requirement.

Driving without your glasses or contact lenses is an offence and if convicted carries 3 penalty points and possible disqualification

If a driver wears prescription safety spectacles (for non-driving safety reasons) and they also wear them whilst driving it is their responsibility to ensure their prescription is up to date.

10. Journey Planning

10.1 Road Conditions

Weather conditions can cause a range of problems for travel and transport systems. Drive at a speed appropriate to road and traffic conditions. Plan ahead and allow extra time for your journey where necessary. Avoid getting into situations where you are taking risks on the road just to gain a few minutes. You should discuss any concerns regarding driving conditions immediately with your line manager.

10.2 Fatigue and Rest Periods

Tiredness increases reaction time and reduces vigilance, alertness, and concentration, which impairs your ability to drive. It can also affect how fast you process information and the quality of your decision-making.

Drivers and riders are most likely to suffer from fatigue:

- on long journeys on monotonous roads, such as motorways
- between 2am and 6am or 2pm and 4pm

- after eating
- after long working hours or on journeys home after long shifts, especially night shifts

Driving when tired significantly increases the risk of being involved in a collision. You should organise your work to make sure that breaks from driving are taken at appropriate intervals.

[The Highway Code](#) recommends that drivers and riders should take 15-minute break every two hours.

11. Occupant Safety

11.1 Seat Belts and Safety Restraints

You must ensure that you wear seat belts at all times while driving. It is a legal requirement that passengers wear seat belts. Unless it is an emergency situation, children must be in appropriate child safety seats.

As the driver, you are personally responsible for ensuring that all children under the age of 14 years are wearing seat belts.

Persons over the age of 14 years old are responsible for their own seat belts.

11.2 Head Restraints

Head restraints for you and your passengers should be adjusted correctly to help protect against whiplash and prevent long term injuries. The top of the head restraint should be level with top of the head and be as close to the back of the head as possible.

12. Safe Vehicles

It is your responsibility to ensure that your vehicle is safe and legal whether it is your own vehicle or that owned by the Authority. You must check that:

- tyres are undamaged (no cuts or bulges), are at the correct tyre pressure for the number of passengers or equipment being carried and have enough tread depth. The legal minimum is 1.6mm but motoring and safety organisations recommend changing your tyres at 3mm
- there are no signs of vehicle damage;
- oil, coolant and windscreen wash levels are correct;
- brakes are working;
- lights and indicators are working;
- windscreen and windows are not damaged;
- washers and wipers are working;

- mirrors are correctly positioned;
- all occupants are using their seat belts and head restraints correctly; and
- loads are securely restrained.

13. Electric Vehicles

With the increased usage of electric vehicles staff should be made aware of the issues surrounding the use of electric vehicles which include the fact that the vehicle may not be heard by pedestrians and also the risk of fire from the battery.

14. Traffic Collisions

If you are involved in a traffic collision you must stop, switch off your engine and turn your hazard lights on to alert other road users to your presence.

Your first consideration should be whether the emergency services are needed.

If you are able you should provide assistance to anyone else involved so long as it doesn't put you in any danger.

Do not move anyone who is injured unless they are in immediate danger.

You should immediately report the incident to the Police if:

- it involves an injury to a member of the public or a Council employee
- it has caused a hazardous situation
- someone leaves the scene without exchanging details
- you suspect the collision was deliberate to make a fraudulent insurance claim

If the Police are involved, you must not move any of the vehicles without first getting their approval. When you're involved in a collision you're obliged to give your name and address to anyone else involved. You should stop and give your details if you crash into something on or near the road even if there aren't any other people involved.

Do Not:

- Admit liability, even if you believe you were at fault.
- Discuss the accident with anyone at the scene except the Police.
- Visit other parties involved in the accident.
- Talk to the media about the accident

If you hit a parked car, for example, you should leave your details on the windscreen. You should tell your insurer about the collision as soon as you can. If you do not report it within the time period set out in your policy, it may invalidate your cover.

You should always inform your car insurance company about a collision even if you don't want to make a claim.

You should try to collect the following information:

- Names, addresses and contact details from any drivers, passengers and witnesses.

- Insurance details for the other drivers. If they are not the registered keeper of their vehicle find out who is and make a note of their name and address.
- The registration numbers of all vehicles involved, plus a note of each vehicle's colour, make and model.
- The time and date of the collision.
- A sketch showing the positions of the vehicles involved
- A description of the weather conditions, plus anything unusual you notice about the road quality or lighting.
- A list of damage to vehicles and a description of any injuries sustained by pedestrians, drivers and passengers.

You may find it useful to take photos of the car accident for use as evidence. You shouldn't accept liability or discuss the question of blame with anyone at the time of the incident, regardless of the circumstances. It could count against you later. You must report any incidents to your line manager as soon as possible. Any accident that occurs during working hours, even in your own vehicle, should be reported through the Authority's Accident Reporting system.

15. Training

New starters should be informed of the requirements of the Driving for Work Policy. Individuals who drive for work should be given information on routine safety checks, what should be done if an accident occurs or if a breakdown occurs etc.

It should also be made clear to staff that if they are driving a vehicle, even one owned by the Authority, they are responsible for the roadworthiness of the vehicle and can be found guilty of road offences if the vehicle does not meet requirements.

16. Aggressive Driving

Aggressive driving behaviour can take many forms like speeding, driving too close to the car in front or improper lane changing or weaving; etc. Most people drive aggressively from time to time through impatience, annoyance or even in an attempt to save time. Many drivers are not even aware when they are doing it. Aggressive driving, regardless of its motivation, can increase the risk of collision.

You should:

- plan ahead and allow plenty of time for your journey. Avoid getting into a situation where you are racing to gain a few minutes and taking risks on the road
- try to avoid driving when you are feeling stressful, emotional or angry or if you feel unwell or distracted for any reason

- be courteous to other drivers and avoid actions likely to provoke. Make sure that your driving does not upset others. Set a good example by respecting other road users. Recognise your own aggressive driving behaviour and correct it.
- be polite and courteous even when other drivers behave unreasonably. Do not react to other drivers who are challenging you or may be looking for conflict. Pull over and let them pass. Do not engage in eye contact. Keep your hands on the steering wheel and do not make any gestures which may show your irritation or frustration with their behaviour.
- Relax behind the wheel. Breathe out slowly, release the tension in your hands, arms and shoulders. Hold the wheel hard again and once more let go and sigh. As you relax, you can begin to think clearly.
- If you are forced to stop stay in the vehicle with the doors locked and engine running ready to drive off. If you are followed drive on carefully to the nearest police station, Council depot or a busy place such as a garage forecourt.

17. Breakdowns

Breaking down can be dangerous particularly if you're on a motorway (See Appendix 1). In order to stay safe:

- Make sure that you are in a safe place. Move your vehicle off the road if possible (watch out for any soft verges), or pull up onto the hard shoulder if on a motorway and cannot turn off at the next exit. Make sure you stop as far to the left as you can, with the wheels turned to the left.
- Put your hazard warning lights on.
- If it is dark or foggy, keep your sidelights on too.
- Stay well away from moving traffic. It is usually safest to get out of your car (using the doors facing away from passing traffic) and wait behind a barrier.
- If you're on a motorway, move up the bank if you can.
- Wear a reflective jacket if you have one.
- If you're on a road and it is safe, you can put a warning triangle at least 45m behind your vehicle.
- If you are on a motorway do not put a warning triangle on the hard shoulder as it is not safe.
- Telephone the emergency services, or breakdown organisation. Give them accurate details of your location and whether children or passengers with mobility problems are being carried
- On a motorway walk to an emergency phone on your side of the carriageway. Follow the arrows on the posts at the back of the hard shoulder – the phone is free and connects directly to the Police. This will enable the Police to pinpoint your location.
- Inform your line manager and complete an Authority accident form and submit this to the Health and Safety Department

18. Smoking

You are not permitted to smoke in any vehicle being used on Council business. This includes your own.

19. Additional Considerations

Other issues to consider where an individual is driving for work and may need to be included in a risks assessment are:

- safeguarding issues should passengers are being carried
- lone working issues

20. References

1. HSE Driving at Work Managing work-related road safety [Driving at work: Managing work-related road safety INDG382\(rev1\) \(hse.gov.uk\)](#)
2. [Check if a health condition affects your driving - GOV.UK \(www.gov.uk\)](#)
3. The Highway Code <https://www.highwaycodeuk.co.uk/>
4. HSE Driving and riding safely for work <https://www.hse.gov.uk/roadsafety/index.htm>
5. Vehicle Fleet Management – Drivers' Duties and Obligations BGCBC 2018

Appendix 1 Accident/Incident Flow Chart

Employees must follow the steps below:

