

DRIVING FOR WORK POLICY, PROCEDURE AND GUIDANCE
WDA/24/14

Recommendations

It is recommended that Members:

- 1) approve the Driving for Work Policy Procedure and Guidance attached at Appendix 1; and
- 2) grant delegated powers to the Chief Executive to review and amend the Policy as appropriate in line with any future legislative requirements.

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DRIVING FOR WORK POLICY, PROCEDURE AND GUIDANCE**WDA/24/14****Report of the Chief Executive****1. Purpose of the Report**

- 1.1 Members are asked to approve the Driving for Work Policy, Procedure and Guidance to ensure that robust arrangements are in place to safeguard the Authority and those employees who are required to drive during the course of their work.
- 1.2 Members are also asked to grant delegated powers to the Chief Executive to review and amend the Policy as appropriate in line with any future legislative changes.

2. Background

- 2.1 Up to a third of all road traffic accidents involve somebody who is at work at the time. This may account for over 20 fatalities and 250 serious injuries every week. Driving is, in many cases, the most hazardous activity a person will undertake whilst at work. So it is vital that suitable systems are introduced to ensure, so far as is reasonably practicable, drivers and vehicles are safe.
- 2.2 Health and safety legislation requires the Authority to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees at all times, including whilst driving for work.
- 2.3 The Health and Safety at work Act 1974, Management of Health and Safety at Work Regulations (1999), Provision and Use of Work Equipment Regulations (1998) all apply, as well as the Road Traffic Act 1991 other Traffic and Highways legislation and the Highway Code.
- 2.4 The Authority must consider the risks for employees who drive during the course of their duties and ensure that measures are in place to effectively manage those risks.

3. Current Position and Proposed Policy

- 3.1 The Authority does not currently have a Driving for Work Policy to provide for management of the risks arising from driving for the purpose of work

- 3.2 The Authority is committed to reducing the risks that employees face and create when driving for work.
- 3.3 Health and Safety law also extends to driving for work, regardless of the ownership of the vehicle being used.
- 3.4 The proposed Driving for Work Policy Procedure and Guidance applies to driving both Authority hired vehicles and the employees own vehicles and is attached at Appendix 1 to this report.
- 3.5 The purpose of this proposed policy is to establish arrangements to manage the risks arising from this work activity, to ensure that:
- Employees who 'drive for work' are qualified, insured and fit to drive
 - All vehicles that are used for Authority business (regardless of ownership) conform to the law, are safe and properly maintained and are fit for purpose.
 - Managers assess and reduce the risks from driving
- 3.6 The Policy also provides a framework so that Managers:
- assess the risks involved in their employees use of vehicles for work and to put in place all reasonably practicable measures to manage those risks
 - ensure all employees who are required to drive an Authority Vehicle completes on each occasion, a Vehicle Safety Checklist (Attached at Appendix 2) prior to commencement of any driving duties.
 - encourage the amount of driving for work purposes to be reduced as far as it is practicable
 - provide suitable accident/incident reporting and investigation procedure
 - ensure employees comply with the legal prohibition on using hand-held telephones whilst driving and smoking within Authority Vehicles.
 - observe requirements to monitor and regulate driver hours and performance

- 3.7 The Policy identifies a number of safeguards to ensure that employees who are required to drive during the course of their duties do so legally by ensuring clarity for the checking and control of driving licence and insurance documentation.
- 3.8 Approval of this Policy will ensure all employees fully understand the implications of driving for work and of the legal obligations under which they will be required to do so.

4. Risk Implications

- 4.1 Failure to ensure employee are fully aware of their legal obligations whilst undertaking driving duties during their course of employment may leave the Authority open to legal challenge under the Health and Safety at Work Act and the Road Traffic Act 1991 other Traffic and Highways legislation and the Highway Code
- 4.2 Failure to provide clear guidance to employees on the effect of negligent driving or driving defective vehicles whilst on Authority business may leave the Authority liable for criminal prosecution or civil action.
- 4.3 Approval of a Driving for Work Policy will ensure that the Authority has clear established arrangements to manage the risk of this work activity.

5. HR Implications

- 5.1 Awareness training of the Driving for Work Policy Procedure and Guidance will be provided to all employees when carrying out the business of the Authority.
- 5.2 Executive Management Team and Line Managers will receive additional training on their specific roles and responsibilities to employees who drive during the course of their duties.
- 5.3 The Policy to be included in the Induction Process for all new employees.
- 5.4 The Policy will be reviewed and updated in line with any future legislative requirements.

6. Environmental Implications

6.1 There are no environmental implications associated with this report

7. Financial Implications

7.1 There are no financial implications associated with this report.

8. Conclusion

- 8.1 Health and safety legislation requires the Authority to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees whilst driving for work.
- 8.2 Management of Health and Safety at Work Regulations, Provision and Use of Work Equipment Regulations all apply to driving duties, as well as the Road Traffic Act other Traffic and Highways legislation and the Highway Code.
- 8.3 The Authority must consider the risks for employees who drive during the course of their duties and ensure that measures are in place to effectively manage those risks.
- 8.4 Approval of the Driving for Work Policy Procedure and Guidance will ensure that such risks are managed effectively by the establishment of a clear procedure and guidance to ensure that employees are not putting themselves at undue risk during their course of duties by driving safely and appropriately while on Authority business.

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The background documents to this report are open to inspection in accordance with Section 100D of The Local Government Act 1972 - Nil