

## Logical Recommendations on Effective Driving at Work Policies



People who drive for work expose themselves to the risks of road use more often. One of the key features of the Logical Risk Management suite of products and services is the drafting of sample guidelines

This fact sheet gives advice to our Customers on reducing those risks, how to develop appropriate policies and links to further information.

### What are the risks of driving at work?

Whether employers provide vehicles or expect employees to drive their own for work purposes, all employers should have a policy to address the issues.

The Health and Safety Executive (HSE) estimates that up to a third of all road traffic accidents involve somebody who is at work at the time. This may account for 100 fatalities in Scotland per year and over 20 fatalities and 250 serious injuries per week in the UK

It has been estimated that between 800 and 1,000 road deaths a year are in some way work-related. Many bosses have ignored this problem in the past, but the Health and Safety Executive has now made it clear that employers have duties under

health and safety law to manage the risks faced by their workers on the road.

It is therefore vital that employers take steps to reduce the risks associated with driving at work and Logical can provide this critical support across a range of areas at low cost.

### Who is most at risk from driving at work?

Bus drivers, HGV drivers and delivery drivers can spend their whole working day driving, these are the higher profile driving occupations, but company representatives, maintenance workers and anyone who drives as part of his or her work duties is at risk. This includes staff driving to meetings and events, visiting customers or clients and driving between sites. In law there is no reduced obligation on the part of the employer if an individual uses their own car for work (grey fleet). Grey Fleet drivers are an essential part of an organisation's duty of care obligations.

### Legal duties and obligations around driving at work

As well the moral duty of employers to protect employees and members of the public the law also covers all employers and workplace whatever vehicle type, choice or policy is selected. This includes all risks presented by driving at work.

In addition, the various UK Road Traffic Acts also have many provisions, which may apply to either the vehicles or the drivers. Employers should ensure that they comply with the relevant sections.

Drivers are required to comply with the Highway Code and other guidance relating to driving.

### Drivers' hours

Driving hours of goods vehicles over 3.5 tonnes and some passenger vehicles are regulated by European Community rules. These set limits on driver's hours:

- Daily driving limit: 9 hours\*
- Maximum driving limit: 4 ½ hours
- Daily rest period: 11 hours
- Weekly driving limit: 56 hours
- Fortnightly driving limit: 90 hours
- Weekly rest period: 45 consecutive hours\*\*

\* Can be extended to 10 hours no more than twice a week. \*\* May be reduced to 36 hours if taken at normal base, or 24 hours if taken elsewhere.

Drivers operating within the UK exempt from European law will be subject to the Transport Act 1968, which lays down the following limits:

- Daily driving: 10 hours maximum
- Daily duty: 11 hours maximum

The Department for Transport provides advice for drivers and operators of passenger vehicles on all aspects of the European Union Drivers' Hours rules, AETR Drivers' Hours rules and UK Domestic Drivers' Hours rules:

### Reducing the risks from driving at work

One place to start is to select appropriate vehicles for the type of work you expect your drivers to carry out. The selection of drivers is also important and you should ensure that only fully trained, appropriately licensed, competent drivers are employed.

Other steps include:

- select company vehicles and allocate driving duties carefully
- consider whether face-to-face meetings that require participants to drive are necessary – could telephone or video conferencing be used instead?
- consider whether driving is the only option – could people walk, cycle or use public transport? Could a delivery service be used instead?

- avoid setting unrealistic delivery schedules or deadlines, which may encourage drivers to exceed speed limits or take shortcuts or other risks
- make it clear drivers should not use mobile phones whilst driving. If this is unavoidable, they must be provided with an appropriate hands-free set.

### Developing a driving at work policy - good practices

Organisations should draw up a policy for driving at work. It should include measures for staff using their own cars for work purposes. Logical regularly develop policies for new and existing customers and maintain their relevance with regular updates.

As part of any driving at work policy, employers should:

- make it clear that the employee must maintain their vehicle in a roadworthy condition if they are to use their own vehicle for work
- ensure that if the vehicle is over three years old it has a valid MOT certificate
- ensure the employee has a current driving licence
- ensure that the employee has appropriate insurance with cover for using the vehicle for business use (the employee should present copies of certificates annually, for inspection)
- ensure that the employee informs their line manager of any changes in circumstances such as penalty points, changes in insurer or vehicle used or use of any prescription medication or changes to health that affect their ability to drive safely

Employee drivers should:

- report any vehicle defects to their line manager and **never drive defective vehicles**

- be aware of what action needs to be taken in an emergency situation
- ensure they are physically fit to drive
- inform their line manager of any health problems or personal circumstances that could make driving hazardous
- never drive while under the influence of alcohol or drugs
- remember that some prescription drugs can adversely affect the ability to drive and check with doctor or pharmacist
- have regular eye tests and ensure that any necessary corrective eyewear is worn
- avoid using a mobile phone while driving
- drive within speed limits and to the speed dictated by conditions, which may mean driving at less than the limit
- follow advice on route planning supplied by line management
- ensure that suitable breaks are included to prevent fatigue
- allow extra journey time and breaks where required, to allow for bad weather, traffic congestion, etc.
- stay calm and relaxed while driving and try to avoid situations which could lead to stress or road rage
- be aware that fatigue is more of a problem at certain times of day and when nearing the end of a long journey. There is an increased likelihood of falling asleep in the afternoon and in the early hours of the morning.
- Plan ahead and consider how, as a driver, you would take responsibility for vulnerable passengers or cargo in the event of a breakdown or other emergency.

### **Additional driver assessment**

Many employers carry out internal assessments of driving skills in addition to the minimum legal requirements. This can be done by Logical in-house or carried out externally. We have over five different courses which can be tailored to specific need.

If drivers are being asked to drive minibuses, etc. then employers can require additional qualifications, as proof of abilities.

Some employers offer specific training in safe driving techniques for their employees. Logical recommend this as good practise and can manage this for clients.

### **Advice on driving for voluntary sector organisations**

Many charitable and voluntary groups expect employees and volunteers to use their own vehicles to carry out business. Usually, the car user will be paid a certain amount per mile to cover the cost of petrol, wear and tear on the car, and other general running costs such as servicing and insurance. These users are often described as Grey Fleet Drivers.

In these cases, the employee is required to ensure that their insurance covers the use of the vehicle not just for the normal 'social, domestic and pleasure' purposes, but also for use by the policy-holder in connection with their work. Logical can check these for the Customer.

Where groups make use of volunteers using their car for the business of the charity, whether or not they claim for the journey the driver must make sure that their car insurer is aware of the circumstances. The Association of British Insurers has produced a model letter for such a purpose and a copy of this should be available from their insurer.

Most insurers do not charge any extra premium for volunteers using their cars to assist a charity or community organisation. However, if a volunteer fails to notify their insurer regarding such use then the insurance policy can be invalidated and the driver could be held personally liable for any damage or injuries sustained in an accident.

If organisations are using employees or volunteers to provide transport or drivers for users of their services, then they should aim to follow the main

good practice standards outlined for employers in the section above.