

# Work Related Driving Risk Policy

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1.0	April 2010	New policy

## **1 Policy Statement**

NSS takes extremely seriously the health, safety and welfare of its entire staff. It recognises the risks to staff that need to carry out work-related driving and is committed to the prevention of injury, loss of life and damage to property from work-related driving incidents/accidents. The purpose of this policy is to enable NSS to meet its obligation to protect staff so far as is reasonably practicable from all work related road risks associated with work-related driving.

Any breach of this policy may be regarded as an offence and the member of staff may be subject to investigation in accordance with the NSS Disciplinary Policy. Should members of staff have any difficulties with understanding any aspect of this policy, or require further information in respect of accessibility, interpretation or application of the policy, they should contact their NSS H&S Adviser.

## **2 Scope**

This policy applies to all staff involved in work-related driving activities, including drivers of NSS vehicles, leased-car, hire-car and owner-drivers. It forms an integral part of NSS Health and Safety policy and applies along with any other specific local guidance on work-related driving and the management of occupational risks. The policy applies to all work-related driving arising in connection with the duties and activities of our staff. For the avoidance of doubt, the policy does not cover driving from home to an employee's contractual place of work.

## **3 Definition of Work-Related Driving**

NSS defines work-related driving as:

'any approved driving activities carried out by employees in the course of their work when they are on a public highway or private ground e.g. NHS property or community collections'.

## **4 Policy Aims**

The policies, procedures and rules should be communicated effectively to all employees, contractors and other agencies. Information will be communicated through for example policy documents, procedures and work instructions and driver training (initial and refresher training).

This policy aims to:

- increase staff awareness of safety issues associated with work-related driving risks;
- make sure that risk in relation to work-related driving is assessed in a systematic and ongoing way, and that safe systems and methods of work are put in place to reduce the risks as far as is reasonably practicable;
- make sure that appropriate training is available to staff in all areas, that equips them to recognise risk and provides practical advice on preventing and managing work related road risks;
- make sure that appropriate support is available to staff involved in work-related driving incidents;

- encourage full reporting and recording of all incidents/accidents arising in the course of work-related driving; and
- reduce the number of incidents/accidents to staff resulting from work-related driving.

## 5 Responsibilities

5.1 The **Chief Executive** is responsible for:

- making sure there are arrangements for identifying, evaluating and managing risks associated with work-related driving;
- providing resources for putting the policy into practice; and
- making sure that there are arrangements for monitoring incidents/accidents linked to work-related driving and that the NSS Board regularly reviews the effectiveness of the policy.

5.2 **Senior** and **line managers** are responsible for:

- making sure that all relevant staff are aware and issued with a copy of the policy;
- making sure that risk assessments are carried out by trained risk assessors and regularly reviewed;
- putting into place procedures and safe systems of work designed to eliminate or reduce the likelihood of work-related driving incidents/accidents;
- making sure that staff groups and individuals identified as being at risk are given appropriate information, instruction and training, including training at induction, updates and refresher training as necessary;
- making sure that appropriate support is provided to staff involved in any incident/accident associated with work-related driving;
- managing the effectiveness of preventative measures through an effective system of reporting, investigating and recording incidents/accidents and
- investigating and addressing complaints received from the public about liveried vehicles.

5.3 All **staff** are responsible for:

- their own safety and the safety of other people who may be affected by their actions including all driving activities;
- co-operating by following rules and procedures designed for safe working, including any safety checks required;
- reporting all incidents/accidents in relation to work-related driving e.g traffic accidents involving your vehicle, failure of NSS equipment or vehicles etc;
- taking part in training designed to meet the requirements of the policy;
- reporting any dangers they identify or any concerns they might have about work-related driving;
- ensuring that they are fit to drive when they take a vehicle on to the public highway;
- appropriately insuring their own vehicle if used for work-related driving;
- declaring any medical condition that would adversely affect their ability to drive and;
- informing their line manager immediately of disqualification from driving on a public highway.

## 6 Risk Identification and Assessment (Refer to Appendix 1 and 2 for further guidance)

Risk assessment must be carried out in all areas of work where work-related driving poses an actual or potential risk to staff. The risk assessment will involve identifying all hazards and risks associated with specific work-related driving activities. It should identify who will be affected and how, and the control measures which are needed to eliminate or reduce the risk to the lowest level reasonably practicable. A trained risk assessor in conjunction with those staff who drive for work must carry out the risk assessment. The assessment findings should be recorded and shared with relevant others including line managers.

The following details should be recorded:

- the extent and nature of the hazards and risks;
- the factors that contribute to the risk - including job content and specific tasks and activities; and
- the safe systems of work to be followed to eliminate, reduce or control the risk.

### 6.1 Hazards include the following:

- a) The journey e.g. Road types, Distance, Time allocated to travelling, Time of travel (high risk hours), Weather conditions, Speed limits and Familiarity with the route.
- b) The vehicle e.g. Maintenance, Distractions e.g. mobile phones/mobile data terminals, Familiarity with the vehicle, Loads to be carried, Safety specifications e.g. driver and passenger airbags, ABS, EuroNCAP star rating, Defect identification and correction, Mechanical defect, Potential for injury e.g. from mobile phone / satellite navigation equipment mounting.
- c) The driver e.g. Knowledge, Experience, Training, Competence and attitude, Stress/ fatigue, Health and fitness to drive.
- d) Organisational pressure to attend individual or sequential meetings with: long travel, early starts, late finishes.

### 6.2 How likely is it that the hazard will happen?

High, Medium, Low

### 6.3. What are the consequences of the potential hazard?

**High consequence** e.g. death, major injury, prosecutions, or NSS reputation

**Medium consequence** e.g. minor injury, staff or vehicle down time and replacement costs, accident investigation and management time

**Low consequence** e.g., paperwork and administration

These details should be communicated to staff, and risk assessments reviewed and updated annually or sooner if circumstances change.

All drivers should also carry out checks before beginning any journey. This should include assessing the condition of the vehicle, the weather conditions and route, and their own fitness to drive.

## **7 Minimising Risk through Control Measures**

Wherever possible, NSS Divisions will adopt the principles below in order to effectively reduce the risk levels:

- Eliminate journeys where possible (e.g. by video or telephone conferencing or rescheduling deliveries to reduce the overall number of journeys).
- Plan safer journeys (e.g. by changing to an alternative travel mode such as rail or air, avoiding driving in adverse conditions, reducing distances and where applicable drivers' hours through appropriate rest breaks, optimising schedules, specifying 'safest' routes) in line with the Working Time Directive.
- Specify appropriate vehicles and ensuring effective vehicle maintenance.
- Use appropriate drivers (e.g. ensure driver fitness; have clear policies on alcohol and drugs, put in place driver improvement programmes).
- Other supporting measures (e.g. emergency planning, personal safety).
- Encourage staff to travel together wherever appropriate.
- Any driver under the age of 18 would need to be covered by the additional young person risk assessment.

These measures should be documented as part of the risk assessment and control measures included within the rules and procedures. Rules and procedures should be communicated and enforced by NSS Divisions.

### **7.1 Driver Checks and Qualifications**

Drivers may only drive vehicles for which they hold appropriate licences.

### **7.2 Leased Cars & Pool Cars**

The NSS Car Leasing Manager will undertake at least an annual audit of the licence, and where appropriate the insurance certificates for all staff involved in work-related driving activities. The driver declaration form (driving offences) should also be completed and signed off by the respective line manager along with the relevant CMV2 and CMV3 Forms. A copy of these documents will be retained in the staff member's HR file.

Currently the SNBTS Transport Manager manages the checking of SNBTS provisional drivers licences every 6 months. He also receives Traffic Regulation citations for all SNBTS liveried vehicles.

### **7.3 Business Car Users**

The line manager should see and take a copy of the driving licence, insurance certificate which must have business use included and where applicable the relevant MOT certificate. This should be done annually at the renewal date for insurance and MOT. A copy of these documents will be retained in the staff member's HR file.

### **7.4 Licence or Insurance Details**

In cases where the licence or insurance details are not provided or are not in line with requirements the staff member must not be required to continue to drive on behalf of the organisation. Staff must immediately inform the organisation about any changes in the status of their licence or their health that could affect their continued driving as this may subsequently affect their continued employment. A copy of all relevant documents will be retained in the staff member's HR file.

## **7.5 Exclusions**

The following people are specifically excluded from driving NSS vehicles.

- Anyone who does not hold a full, valid UK driving licence for the category of vehicle being driven (or who does not have a relevant foreign or international licence that allows them to drive in the UK).
- Anyone who suffers from a condition that would disqualify them from holding or getting a relevant current driving licence.
- Anyone who has a current conviction for a motoring offence in the following categories:
  - dangerous driving, causing death by dangerous driving, or manslaughter;
  - driving under the influence of drink or drugs;
  - failing to stop after an accident; and
  - any other offence (or combination of offences), which has resulted in disqualification.
- Anyone who has been prohibited from driving an NSS vehicle for any other reason eg previous misuse of NSS vehicles.

## **7.6 Pre Use Checks**

The Road Traffic Act states that the driver is responsible for the roadworthiness of any vehicle, the load being carried and the wearing of seat belts by passengers, whilst travelling on a public highway.

Employees intending to drive any vehicle on NSS business should undertake appropriate roadworthiness checks prior to using the vehicle.

## **8 Staff Training**

NSS will provide appropriate training to give staff the knowledge and skills needed to help prevent and manage work-related driving risks. Different levels of training will be available and NSS will provide specialist training if necessary, based on the needs identified through risk assessment. Driver training will be coordinated through the NSS Car Leasing Manager.

The SNBTS Transport Manager will co-ordinate SNBTS professional driver training. CFS Head of Investigations will co-ordinate CFS professional driver training.

All drivers have a responsibility to decide on their own fitness to drive, personal factors which may degrade their ability to drive safely e.g. poor health, use of alcohol or (prescribed) drugs, domestic and occupational stress, fatigue, poor preparation for work etc.

Drivers will not drive vehicles they have not had appropriate training for.

If driving does not improve through training, drivers will be taken off their driving duties.

Additionally NSS will:

- Use a training provider accredited by a nationally recognised body.
- Have input into the content of the training so that it meets NSS needs.
- Regularly check the standard of the training.

## 9. Mobile Phones

Mobile phones have many benefits. They provide security and can be a great help in an emergency. But tests have shown a driver cannot help being distracted by a phone call or text message. If you are distracted, you will not register hazards or react quickly. A conversation on a hands-free phone is no less distracting than using a hand-held one.

While driving, you will be breaking the law if you pick up or use any type of phone that is, or must be, held to operate it.

Points on your licence - It is illegal to use a hand-held mobile phone when driving. From 27 February 2007 you could receive a £60 fine and three penalty points on your licence.

NSS can be prosecuted if they cause or permit employees to take or make calls or send texts while driving.

### ***Are there any exceptions?***

***Yes – a driver may call 999 or 112 in response to a genuine emergency when it is unsafe or impractical to stop to make the call.***

Two-way radios are not covered by this offence but other devices for sending or receiving data are included if they are held while driving. (e.g. Personal Digital Assistants / GPS, SMS delivery etc).

The best advice is to switch off before you drive off.

When driving you should use voicemail, a message service or call diversion so you can pick up messages later.

Only use your phone after you have stopped in a safe place. But never stop on the hard shoulder of a motorway except in an emergency.

### 9.1 Hands Free Phones

Avoid taking calls even on a hands-free phone while driving. They can be just as distracting. If you must answer whilst using a handsfree system, say you are driving and end the conversation. Otherwise you will put yourself and other road users at risk. We are all responsible for safety on the roads. If you make a call to someone and realise they are driving, stop the call and arrange to speak to them later. You cannot see the hazards or judge the road conditions while you're talking to a driver and you wouldn't want to distract the driver if you were in the car.

**If you are driving a vehicle, there is no such thing as a safe mobile phone call. NSS advice is therefore simple: 'Switch off before you drive off'. If it is impossible to switch a mobile phone off during a journey, the driver must park the vehicle in a safe place and switch off the engine before returning a call or taking voicemail.**

## 10. Satellite Navigation Systems

Various satellite navigation systems are available and they also have many benefits. However they can be distracting, especially to an inexperienced driver or someone driving in an unfamiliar area.

The use of mobile phones and other electronic devices while driving has been shown by expert studies to increase the probability of accidents and distraction has been identified as a root cause in a number of accident investigations. (British Chamber of Commerce - <http://www.chamberhs.co.uk/hsmain.asp?file=8bhxv7qd7tw0> - accessed 30/06/08).

Laws RTA 1988 sects 2 & 3 & CUR reg. 104 Rule 128, of the Highway Code states that you must not operate, adjust or view any such system if it will distract your attention while you are driving; you MUST exercise proper control of your vehicle at all times. If necessary, find a safe place to stop first.

There is no NSS Policy on the use of satellite systems in vehicles. The use of a satellite system in a vehicle must be the subject of a driving risk assessment carried out by the local Directorate who will be responsible for ensuring any recommendations are carried out prior to travel.

## **11. Reporting and Recording**

Staff should report all work related road traffic incidents/accidents to their line manager at the earliest opportunity. The incident/accident should be reported on the NSS IR1 form, the responsible line manager should investigate the findings from the information provided on these reports whenever they are received. Any actions/control measures identified from IR1 report findings should be implemented within appropriate timescales to prevent recurrence.

In accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR), the Health and Safety Executive must be notified in writing within ten days of an incident/accident if any staff member is absent from work for more than three consecutive days as a result of a work-related driving incident. This information must be supplied by an employee's line manager or senior manager and can be by telephone or e mail (details on HSE web site).

## **12. Monitoring**

To monitor the implementation and effectiveness of this policy and associated local protocols, managers should regularly review the Divisional/local statistics and incident/accident reports.

- Data will be recorded to monitor performance, to identify any possible accident trends and system problems and to provide accurate data for risk assessment.

Data will be collected from:

- Incident reporting (including damage-only accidents and near misses).
- Investigation and rectification.

## **13. Audit and Review**

### **Audit:**

NSS will collect information on the efficiency, effectiveness and reliability of the road safety management system, and develop plans to effect improvements.

The audit will ensure that:

- Appropriate management systems are in place
- Risks are being controlled
- Control measures are in place

The audit will involve:

- Collecting information about the road safety management systems and monitoring its adequacy and performance.

**Review:**

NSS will review work related road safety management system to:

- Ensure compliance with standards
- Update inadequate procedures
- Monitor achievement of targets
- Investigate causes of incidents
- Identify possible trends and problems
- Reward improved performance

**14. Referencing:**

**The Road Traffic Act 1991**

**The Health and Safety at Work Act 1974**

**The Management of Health and Safety at Work Regulations 1999 (amended 2002)**

**Health and Safety Executive:** Work Related Road Safety Task Group Discussion Document on 'Preventing At-work Road Traffic Incidents'

**The Highway Code:** HMSO bookshop

**Driver and Vehicle Licensing Agency:** At a glance guide to the current medical standards of fitness to drive, Department of Environment and Transport.

**Department of Transport:**

<http://www.dft.gov.uk/drivingforwork/content/overview.asp?pid=19>

Royal Society for the Prevention of Accidents – Managing Occupational Road Risk – The ROSPA Guide.

**Further Information**

For further detailed information on issues such as Vehicle and Driver Checks reference the NSS Work Related Road Risk Handbook.

NSS will monitor and review this policy annually and in partnership to make sure that we are achieving the aims of the policy. We will do this in conjunction with recognised Trade Unions, Road Safety Professional Organisations and NSS Divisional and Site Health and Safety Representatives.

Date policy is effective: **April 2010**

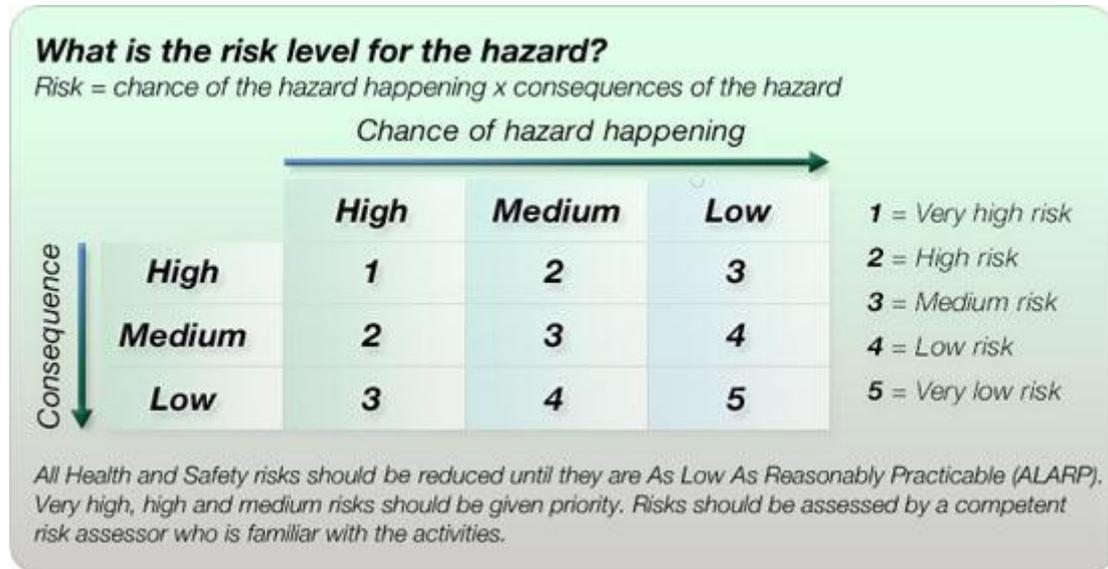
Reviewed by: **March 2012**

Agreed by: .....  
**Chair, Staff Governance Committee**

Date .....

## Appendix 1

The matrix below provides guidance on risk levels and should be used in conjunction with the form in Appendix 2



How likely is it that the **hazard** will happen? **High, Medium** or **Low**

**High consequence** e.g. death, prosecutions, or NSS reputation

**Medium consequence** e.g. major injury, staff or vehicle down time and replacement costs, accident investigation and management time

**Low consequence** e.g. minor injury, paperwork and administration

**WORK RELATED ROAD RISK – Risk Assessment**

**Division/Site:**

**Road Risk Activity:**

**Risk Assessment Number:**

Hazards Involved	Effectuated Persons	Current Controls	Likelihood of Hazard Occurring (L)			Consequences (C)			Risk Rating L x C	Further Controls Required
			H	M	L	H	M	L		

**Risk Assessor(s):**

**Date Completed:**

**Line Manager:**

**Date:**

**NB: Risk Rating Key = Very High (1) High Risk (2) Medium Risk (3) – Low Risk (4) – Very Low (5)**

**Low scoring = high risk e.g. H (1) x H (1) = 1**

**M (3) x M (3) = 9**