

UNIVERSITY OF WORCESTER

WORK RELATED DRIVING POLICY

The purpose of this document is to ensure compliance with the Health & Safety Executive Guidance for employers "Driving at Work – Managing work-related road safety", to fulfil the requirements of our statutory 'duty of care' and meet current insurance sector standards.

It details the arrangements necessary and the individual and collective responsibilities that will ensure that the risks associated with occupational driving are minimised, so far as reasonably practicable.

The applicable legislation and standards include: -

- The Health and Safety at Work Act 1974 (Section 2)
- Management of Health and Safety at Work Regulations 1999
- The Road Traffic Act 1991
- Driving at Work – Managing work-related road safety (HSE, DfT, RoSPA)

1. Introduction

The Health and Safety Executive in collaboration with the Department for Transport and the Royal Society for the Prevention of Accidents have published Guidance for Employers on "Driving at Work – Managing work-related road safety". This Guidance clearly states their view that the requirements of Section 2 of the Health and Safety at Work Act 1974 and Regulation 3 of the Management of Health and Safety at Work Regulations 1999 apply to all work related activities, including "work-related driving".

The Guidance states that it is essential to have an effective policy which covers the issue of work-related driving, clearly defining responsibilities for both the employer and employee and the arrangements for implementation. The purpose of this document is to ensure that adequate controls are in place to protect both the institution and the individual and to provide a set of standards, which form a framework within which all parties may confidently operate.

The guidance recognises that there are distinct categories of employees who drive as part of their work activities: -

- Employees who are required to drive vehicles owned/leased by University of Worcester as an integral part of their employment (*e.g. maintenance staff, porters etc*)
- Employees who use their own vehicles or hired vehicles for convenience on a casual basis, in order to undertake some element of their role within the institution (*e.g. outreach work, business development, marketing etc.*)

The guidance establishes a framework for dealing with situations that may arise as a consequence of its implementation, e.g. identifying persons who are unfit to drive or are no longer permitted to drive. This guidance does not diminish in any way the individual's responsibility to act within the law in all regards when driving on the public highway.

2. Qualified to drive

2.1 All persons who drive on behalf of the University for business purposes, either as an essential part of their employment, or on a casual basis, or for convenience are personally responsible for ensuring that they are qualified to drive the relevant type of vehicle within the UK.

2.2 All persons who drive University owned or leased vehicles as an essential part of their employment should present their driving licence for inspection by Finance on an annual basis, to ascertain their continued qualification to drive.

2.3 The Finance staff member will ensure that members of staff who request vehicles to be hired or leased for their use as part of their employment have a valid driving licence and are permitted to drive. This should be achieved by viewing (and copying) relevant driving licence prior to booking vehicle hire (and thereafter at least on an annual basis).

3. Insurance

3.1 The law requires all persons who drive on the public highway be adequately and appropriately insured. This means that any person driving, albeit occasionally in connection with the business of their employer, must be covered for "business use".

3.2 All persons who drive University of Worcester owned or leased vehicles as an essential part of their employment and, all persons who request vehicles to be hired or leased by the University of Worcester for their use on business purposes are automatically covered by the University of Worcester insurance policy

3.3 Persons who use their own vehicles for University business purposes on a casual basis or for convenience (e.g. travel to meetings) should ensure that their personal insurance policy states "for business use". The Finance staff member should be provided with a copy of a valid insurance certificate stating "for business use" on an annual basis, where travel claims are made.

***Guidance:** Standard car insurance is for 'social, domestic and pleasure' purposes only, which permits travel to and from your normal place of work, but not use of the vehicle whilst at work. If you would wish to use your own car for convenience to travel to meetings or undertake similar work related activities, then informing your insurer that you intend to use your private vehicle for 'occasional business use' is essential, to avoid invalidating your insurance. This does not normally incur any additional expense, but does ensure that you are adequately covered in the event of an accident or personal injury. Note- 'occasional business use' may be limited to approx 1500 miles per annum of 'business travel', (ask your insurer for clarification).*

4. Fitness to drive

4.1 It is every individual's responsibility to ensure that they are medically fit to drive on the public highway, irrespective of whether they are doing so as an individual for social, domestic or pleasure purposes, or whether they are doing so as a work-related activity.

4.2 Drivers of University of Worcester vehicles must declare to their line manager if they are suffering from, or diagnosed with from any medical condition that might adversely affect their ability to drive safely, (e.g. *epilepsy, diabetes, vision impairment*). Reference will then be made to Occupational Health, who will assess the individual concerned and advise the University of Worcester HR Department regarding the correct course of action.

4.3 University of Worcester will seek to support individuals to ensure that fitness to drive is achieved, where the person drives on behalf of the University either as an essential part of their employment, or where the driving is part of an approved activity (e.g. driving a minibus).

This support includes: -

- pre-employment medical screening
- eyesight examinations upon commencement and at 2 year intervals thereafter
- health checks via Occupational Health (intervals as determined by OH)

5. Minibus drivers

5.1 University of Worcester operates a separate Code of Practice for all drivers of University of Worcester owned or leased Minibuses.

<http://cms2.worc.ac.uk/personnel/pdf/MinibusCodeofPractice.doc>

6. Road Safety

6.1 The law states that it is the responsibility of the driver to ensure that any vehicle driven on the public highway is safe and fit for use.

6.2 In the case of employees who use their own private vehicle for the purposes of work, it is their responsibility to ensure that the vehicle has a valid MOT certificate (where applicable), is properly maintained and roadworthy. The Health and Safety Executive have placed a duty of care on the University to check where private vehicles are used for work related driving and are over three years old there is a valid MOT Certificate. The Finance staff member must be provided with a copy of a valid MOT certificate on an annual basis, where travel claims are made.

6.3 Where an employee uses vehicles owned, leased or hired by the University of Worcester appropriate servicing and maintenance arrangements will be established in accordance with manufacturers recommendations, to ensure that the vehicle is fit for use.

Guidance: *The driver is still responsible for the safe condition of the vehicle when it is taken on the public highway. All drivers should undertake basic, routine checks of vehicles provided for their use, before proceeding. (See **Appendix 1**)*

6.4 Drivers must not drive under the influence of alcoholic drink, intoxicating drugs or other substances that are likely to impair judgement or the ability to react quickly and appropriately to road conditions or circumstances.

Guidance: *Drivers who are taking prescription drugs which might adversely affect their ability to drive should inform their line-manager in the first instance and co-operate fully in determining the most appropriate course of action*

6.5 Employees who are driving whilst at work are required to comply fully with the law, which prohibits the use of handheld mobile phones or similar devices, such as handheld radios and tablets, whilst driving. Employees are encouraged to use make use of the voicemail facility on their mobile phone and make return calls when it is safe to do so. Drivers should not respond to radio calls whilst the vehicle engine is switched on. The police can stop drivers if they think the person is not in control because they are distracted.

Guidance: *Managers are advised that where they may need to contact a member of staff who may be driving by mobile phone the driver should be advised to use the 'voicemail' facility and agree contact times or arrangements whereby they call the 'office' regularly to pick up messages. Drivers have been advised not to answer calls via radios until the vehicle is stationary with the engine switched off.*

6.6 Where employees are required to undertake work-related driving, it is expected that the schedule of driving, work activities and periods of rest are mutually agreed and determined, so as not to place an undue burden upon the person concerned.

Guidance: *In exercising reasonable control over work-related driving you need to be able to answer the following questions:*

- *Are the routes selected suitable and have details been left with someone?*
- *Is the schedule realistic and provide sufficient time for the journey, making adequate allowance for rest breaks, (at least 15 minutes rest in every 2 hours driving) and traffic congestion?*
- *Has sufficient consideration been made of the work activity to be undertaken upon arrival and the distance/time involved to ensure that the risk of driver fatigue is minimised?*

7. Reporting accidents and incidents

7.1 In the event of any accident, an internal accident report form must completed and submitted to the Health & Safety Co-ordinator.

7.2 Where employees who are driving University of Worcester owned or leased vehicles, or vehicles which are hired by the University for their use, are involved in road traffic accidents or incidents which result in damage to vehicles, loss or damage to property or injury to persons, they must;

- Any incident that may give rise to a claim should be notified to University of Worcester Finance Department as soon as possible irrespective of the amount of damage.
- Under no circumstances should a driver/employee admit liability or make offer of payment to a third party or his insurer.
- It is vital that the driver notes the registration number of the vehicle(s) involved. The full name and address of each driver should be obtained. A mobile phone number proves insufficient in many cases.
- It is vital to obtain contact details of any witnesses, and preferable to also obtain statements from such witnesses if possible.
- Photographs and a detailed sketch (showing road markings) may also assist if liability is subsequently disputed.

7.3 Employees who are involved in an accident/incident whilst engaged in work-related driving in their own vehicles, should deal with any claims that arise from this directly with their own insurer.

8. Dealing with medical conditions affecting the ability to drive

8.1 Where employees are required to drive University of Worcester owned or leased vehicles, or their own vehicle, as an essential part of their duties, they are duty bound to inform their line manager immediately of any medical condition which would prevent them from driving legally on the public highway.

8.2 Managers will relieve the person of all driving duties with immediate effect and in consultation with the individual, identify suitable means by which they may continue to undertake their normal duties or alternative work activities (as a short term solution).

8.3 Advice should be sought from HR and where applicable Occupational Health.

9. Dealing with employees who have incurred additional convictions or disqualification

9.1 Where employees are required to drive University of Worcester owned or leased vehicles, or their own vehicle, as an essential part of their duties, they are duty bound to inform their line manager and Finance staff member of any additional convictions (including penalty points) or periods of disqualification immediately.

9.2 For disqualification managers will relieve the person of all driving duties with immediate effect and in consultation with the individual, seek to identify suitable means by which they may continue to undertake their normal duties or alternative work activities (as a short term solution).

9.3 Advice will be sought from HR to identify, in consultation with the individual and their line-manager, the most appropriate course of action.

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Appendix 1

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 the public highway.

As such, it is strongly recommended that for University of Worcester employees intending to drive any vehicle for work related purposes, they should undertake appropriate checks prior to using the vehicle, for example:-

- Tyre tread
- Foot and hand brake operation
- Lights, indicators and hazard warning lights operate
- Horn operates
- Screenwash and wipers operate
- Seat belts fitted and functioning
- Mirrors adjusted/adjustable

These are tasks which do not require any technical expertise and are the basic checks included in the current UK driving standards examination.

Additional checks for long journeys might usefully include:-

- Fluid levels (oil, coolant and screenwash)
- Tyre pressures
- Locks and security functional
- Fuel level

It is not intended that checklists are provided or that records of pre-use checks are kept, as it remains the responsibility of any driver to ensure that a vehicle is roadworthy.