

# 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)

## Introduction

1.1 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'.

1.2 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.

1.3 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 and campus services staff 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.*)

1.4 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.

## 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 complete the [Work Related Drivers Online Form](#) on an annual basis, to ascertain their continued qualification to drive. To complete the form, the driver needs their Driving Licence number, National Insurance number and post code to access the DVLA website and generate a code for the Insurance Officer to view relevant driving details such as licence end date and any penalty points. Once the form has been approved by the Insurance Officer, driving can be undertaken.

### Insurance

3.1 The law requires all persons who drive on the public highway be adequately and appropriately insured.

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 covered by the University of Worcester insurance policy once the above Work Related Drivers Online Form has been completed.

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'. In order to claim for business mileage in one's own vehicle, a copy of a valid insurance certificate stating 'for business use' must be uploaded to the expenses portal, aCloud, on an annual basis.

**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 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).

### 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 must declare to the DVLA if they are suffering from or diagnosed with any medical condition that might adversely affect their ability to drive safely (e.g. epilepsy, diabetes, vision impairment). This information should also be disclosed on the Work Related Drivers Online Form so the University's insurers can be made aware.

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: -

- Eyesight examinations upon commencement and at 2-year intervals thereafter
- Health checks via Occupational Health (intervals as determined by OH)

### Minibus drivers

5.1 University of Worcester operates a separate [Code of Practice](#) for all drivers of University of Worcester owned or leased Minibuses.

#### 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) and is properly maintained and roadworthy.

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 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, 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 the details been left with someone?
- Is the schedule realistic and does it 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 be completed and submitted to the Health, Safety and Wellbeing Manager via the [Accident, Illness and Near Miss Reporting portal](#).

7.2 Where employees who are driving University of Worcester owned or leased vehicles or vehicles 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;

- Notify the Insurance Officer as soon as possible irrespective of the amount of damage.
- Under no circumstances should a driver/employee admit liability or make an 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 and takes down the driver(s) name, address, phone number and Insurance policy number.
- It is vital to obtain contact details of any witnesses and preferable to 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 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 and the Insurance Officer immediately of any medical condition which would prevent them from driving legally on the public highway.

8.2 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 Insurance Officer of any additional convictions (including penalty points) or periods of disqualification immediately.

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

#### **10. Fines and Violations**

10.1 Drivers will be liable for any fines or penalties incurred whilst driving.

10.2 Fines and penalty notices will be notified to the employee after receipt from the hire company or issuing authority.

10.3 Any disputes over fines and violations incurred will need to be addressed to the issuing authority directly by the employee. The University of Worcester will not be involved in resolving any queries.

10.4 Employees will be liable for any charges issued to the University for the administration or management of fees and violations.

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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 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
- Screen wash 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 screen wash)
- Tyre pressures
- Locks and security function
- 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.