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| <h1>CHSS<br/>Procedure</h1><br><br><h2>Driving at Work</h2> |                        |                                |   |
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## 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”.

### 1.1 Purpose

The purpose of this procedure is to ensure that adequate controls are in place to protect both the organisation and the individual and to provide a set of standards which form a framework within which all parties may confidently operate.

This procedure 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 procedure 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. This includes colleagues and volunteers who drive as part of their role.

The procedure 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

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- Driving at Work – Managing work-related road safety (HSE, DfT, RoSPA)

## 1.2 Scope

At CHSS there are three distinct categories of colleagues/volunteers who drive as part of their work activities:

- a) Colleagues/volunteers who are required to drive vehicles owned/leased by CHSS as an integral part of their employment or volunteering;
- b) Colleagues/volunteers who are required to drive their own vehicle as an integral part of their employment or volunteering;
- c) Colleagues/volunteers who use their own vehicles or hired vehicles for convenience on an ad hoc basis, in order to undertake some element of their role within the organisation (e.g. attending conferences or events.)

## 1.3 Qualified to Drive

1.3.1 All Colleagues and volunteers that drive on behalf of CHSS for Business Purposes, either as an essential part of their employment or volunteering, or on an infrequent basis or for convenience are personally responsible for ensuring that they are qualified to drive the type of vehicle they will use and have business insurance in place and a valid license.

1.3.2 If you are supplied with a company vehicle to use for your employment/role then you are required to submit a copy of your driver's license and DVLA endorsement check annually to your line manager.

1.3.3 If you drive any other vehicle for any identified roles as requiring additional checks (each directorate will have a list of the identified roles), you must submit a copy of your driver's Licence, insurance, and if applicable an MOT certificate.

This check will be carried out only once, by your line manager and it will be recorded on the Drivers Documents Checklist.

A record of these documents for Colleagues will be sent to HR.

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For volunteers the record of the check will be kept by the volunteers line manager.

## 1.4 Insurance

The law requires all persons who drive on the public highway to 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”.

Volunteers must inform their insurance company that they are driving their own vehicle as part of the volunteer role.

If you drive a CHSS vehicle (either leased by us or owned by us) then you are insured to use the vehicle for business and personal use. Our CHSS vehicles are insured for anyone with a driving license who is over 21.

## 1.5 Road Safety

1.5.1 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. When using a CHSS owned or leased vehicle you will be required to complete the CHSS Vehicle Safety Checks regularly as advised by your line manager.

1.5.2 In the case of colleagues or volunteers who use their own private vehicle for the purposes of work, it is their responsibility to ensure that the vehicle, if over 3 years old, has a valid MOT certificate, is properly maintained and roadworthy.

1.5.3 Where a colleague or volunteer uses vehicles owned, leased or hired by CHSS appropriate servicing and maintenance arrangements will be agreed in accordance with manufacturer’s recommendations, to ensure that the vehicle is fit for use.

1.5.4 Drivers must not drive under the influence of alcoholic drink, intoxicating drugs or other substances that are likely to impair

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judgement or the ability to react quickly and appropriately to road conditions or circumstances.

**Note:** *Colleagues and volunteers who are taking prescription drugs which might adversely affect their ability to drive should inform their Line Manager in the first instance who will work with them to determine the most appropriate course of action, with advice from the HR and volunteering departments as necessary.*

- 1.5.5 Colleagues and volunteers should be aware that driving whilst at work are required to comply fully with the law, which prohibits the use of hand held devices including mobile phones whilst driving. colleagues and volunteers must make use of the voicemail facility on their mobile phone and make or return calls when it is safe to do so.
- 1.5.6 In respect of hands free devices, if the police think a driver is distracted and not in control of their vehicle they could still be penalised.
- 1.5.7 Ideally mobile phones should be switched off and/or diverted so that messages can be taken and calls made when the journey is completed or the vehicle is legally and safely parked.
- 1.5.8 Where colleagues or volunteers 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, these should be noted If required and are different from the CHSS Driving for work risk assessment.

In the event of a colleague or volunteer being deemed too fatigued to drive after long shifts, eg (Events and Fundraising team, after long periods of activities at events) CHSS must provide suitable accommodation, or an alternative transport solution for the colleague or volunteer. until they are deemed able to have rested suitably.

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**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 ensuring that the risk of driver fatigue is minimised?*

## 1.6 Reporting accidents and incidents

### CHSS owned or leased vehicles

1.6.1 Where colleagues or volunteers who are driving CHSS owned or leased vehicles, or vehicles which are hired by CHSS 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, the following must apply;

1.6.2 Under no circumstances should a driver admit liability or make offer of payment to a third party or insurer.

1.6.3 Where possible, depending on any potential injury, the driver must note 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.

1.6.4 Where possible, contact details of any witnesses must be obtained, and preferable to also obtain statements from such witnesses if possible.

1.6.5 Photographs and a detailed sketch (showing road markings) may also assist if liability is subsequently disputed.

1.6.6 An Accident and Incident form should be completed and sent to the Health & Safety Lead.

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1.6.7 Any incident that may give rise to a claim should be notified to their Director as soon as possible irrespective of the amount of damage.

1.6.8 CHSS reserves the right to reclaim from the driver a contribution towards the excess of any claim made on CHSS policy.

### **Colleague/ Volunteer owned vehicles**

1.6.9 Colleagues/ Volunteers, 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.

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## **1.7 Fitness to drive**

1.7.1 It is the responsibility of each colleague or volunteer 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.

1.7.2 Colleagues or volunteers who drive vehicles as an essential part of their duties must inform their line manager if they have any medical condition or disability, whether formally diagnosed or not, which may impact on their ability to drive safely (e.g. epilepsy, diabetes, and vision impairment).

The line manager will liaise with the Health & Safety Lead to determine the risk and controls.

1.7.3 Colleagues or volunteers who drive on CHSS business on an ad hoc basis or for convenience must also inform their line manager if they have, or are diagnosed with, any medical condition or disability that may impact on their ability to drive safely. The line manager will liaise with the Health & Safety Lead to determine the risk and controls.

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1.7.4 Managers and those responsible for asking colleagues or volunteers to drive must make sure that they:

- Ensure that the individual has sufficient breaks and time to undertake the drive.

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## 1.8 Dealing with additional convictions or disqualification

1.8.1 Where colleagues or volunteers are required to drive CHSS owned or leased vehicles, or their own vehicle, as an essential part of their duties, they are duty bound to inform their line manager of any additional convictions (including penalty points) or periods of disqualification immediately.

1.8.2 In the event of disqualification, managers will relieve the person of all driving duties with immediate effect and in consultation with HR and / or volunteering, review the impact upon the individual's role and responsibilities.

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