

HEALTH AND SAFETY POLICY



Document Ref:	Issue No: DRAFT 4	Issue Date: July 2009 Review Date: Dec 2010	Responsibility/Owner: CORPORATE HEALTH AND SAFETY
Title: Driving at Work			

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REVISIONS

Issue Number	Date Issued	Revision /Change

CHESHIRE EAST BOROUGH COUNCIL

POLICY AND GUIDANCE NOTES ON DRIVING

1.0 INTRODUCTION

As an employer, Cheshire East Borough Council has to comply with a number of general and specific duties to protect the health, safety and well being of both its employees and those who may be affected by its activities. These duties are set out in section 2 of the Health and Safety at Work etc Act 1974 and in the Management of Health and Safety at Work Regulations 1999. The Council is required to:

- Lay down safe systems of work.
- Provide a safe workplace.
- Provide safe plant and equipment.

The Council therefore has a duty to ensure the safety of all employees whose job involves the transportation of goods, animals (e.g. dog wardens van) or people (e.g. Social Services minibuses and school buses) and who are required to drive as part of their employment. In order to comply with these responsibilities the Council will have to:

- Investigate the competence of the employee.
- Provide safe systems of work, even when in transit.
- Examine the fitness for purpose of all Council owned and leased vehicles and in the case of vehicles owned by the employee, check that the vehicle has a valid MOT certificate (where required) and is insured. These checks should be carried out annually and whenever a vehicle is changed.

In addition, under the Management of Health and Safety at Work Regulations 1999, the Council must assess the risks to employees and ensure that effective planning, organisation, control, monitoring and review systems are in place.

Other transport related legislation that may be relevant when investigating driving activities includes:

- Road Traffic Acts 1988 and 1991
- Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007
- Provision and Use of Work Equipment Regulations 1998
- Transport Act 2000

Where transporting hazardous loads, then additional legislation such as the Control of Substances Hazardous to Health Regulations 2002 may also apply.

2.0 POLICY STATEMENT

The Council recognises that there are specific risks such as those related to driver competence, fitness of vehicle for purpose, shift working and hours worked, lone working and the nature of the goods being transported, that may arise when driving motor vehicles. The Council is therefore committed to developing, implementing and maintaining all reasonable measures to protect the health and safety of those driving on Council business and those who may be affected by the activities of the Council.

3.0 ARRANGEMENTS

The Council undertakes to develop the procedures required in order to minimise, so far as is reasonably practicable, the risks presented to both employees of the Council and others affected by the business of the Council, that may arise from driving activities undertaken by Council employees in the course of their employment.

To this end the Council will:

- (a) Ensure that all relevant risk assessments are carried out and that the findings of the risk assessments are considered when planning and allocating journeys. (See appendix 2)
- (b) Ensure, so far as is reasonably practicable, that all those driving on Council business are competent and have met the required statutory provisions with regard to fitness.
- (c) Provide any additional training that may be deemed to be necessary in order to reduce driving related occupational risks.
- (d) Ensure, so far as is reasonably practicable, that all vehicles provided by the Council are suitable for the purpose for which they are to be used.
- (e) Provide and maintain any additional tools and equipment that may be required for the purposes of the journey.
- (f) Provide employees with sufficient information and guidance to enable them to understand better the occupational risks involved in driving.
- (g) Investigate all accidents involving Council owned or leased vehicles with a view to identifying the causes and any contributory factors such as carelessness or lack of competency on the part of the employee.

Further information on how to achieve the above is provided in the following guidance notes.

4.0 GUIDANCE ON SAFE DRIVING

The following guidance notes should be read by managers when considering the procedures that they will need to put into place in order to develop the safe systems of work required to manage driving related risks.

a) Vehicles

All vehicles provided by the Council should be suitable for the tasks for which they are to be used. Before purchasing or hiring any vehicles, their suitability for the proposed use must be checked with the relevant Transport staff/fleet managers. Matters that may need to be considered could include the nature of any loads to be transported, the ease or otherwise of loading or unloading the vehicle, the nature of the terrain over which they are to be driven, the expected length of the journeys to be undertaken and whether or not passengers will be carried. Any additional equipment that may be needed e.g. additional tools for the loading or unloading of the vehicle should also be provided. Further information on the driving of minibuses can be found in the Council Policy on Minibus Driver Licensing.

b) Vehicle Maintenance

Suitably qualified and competent personnel will be used to maintain all vehicles owned by the Council to the required standard. All leased vehicles will be maintained under the terms and conditions specified by the lease, these being communicated to the driver of the vehicle where necessary. Drivers will be expected to carry out the daily and weekly vehicle checks listed in Appendix 1. The Council will endeavour to ensure that no vehicle in an unfit state will knowingly be used on Council business

Managers will be required to carry out an annual check to ensure that employees in their section driving on Council business hold a valid driving licence, an up to date insurance certificate which also covers the employee for business use and, where required, a current MOT certificate for the vehicle that they are driving. Employees will be required to report to their manager any driving convictions and any medical conditions for which the DVLA may impose restrictions on driving.

c) Safe Working Hours

The Council recognises the deleterious effects that fatigue and stress can have on the ability of an employee to drive safely. In order to safeguard the health and safety of employees driving on Council business and others who may be affected by this activity, the Council will ensure that effective policies and procedures are in place to manage the hours worked by those driving for the Council. These procedures will require that:

- Drivers do not drive for more than the permitted hours in any twenty-four hour period.
- Drivers receive sufficient time off and rest breaks over the working week to avoid excessive fatigue and stress.
- Tachograph systems are used where required, the records being monitored by the departmental manager and the Fleet Management Section.
- Drivers not covered by statutory regulation of hours maintain their driving hours within sensible limits.

The Council will also take all reasonably practicable measures to develop and maintain a culture of risk awareness in all drivers and will ensure that no employee driving on Council business is encouraged to drive in a manner that may increase the risks to themselves and other road users. However, drivers also are responsible for the safe operation and use of their allocated vehicle.

Managers will ensure that that all reasonably practicable measures are put into place to schedule journeys appropriately, sufficient time being allowed for both the journey and any loading or unloading that has to take place. Drivers will not be penalised for delays due to circumstances beyond their control and will not be encouraged to extend their working hours in any way that may increase their chances of having an accident on the road. Journeys will be arranged so that drivers working hours are kept to the permitted levels and so that they can get sufficient breaks during their working hours. Tracking devices will be installed on selected vehicles and maintained where required, the statutory limits on driving hours and rest periods being rigorously enforced. As these systems enable the locations of the vehicles to be monitored they will assist the authority in defending malicious claims made against employees and can identify the location of a vehicle should an employee become ill or be injured

d) LONE WORKING

Employees driving on Council business may also be at risk from lone working. Where required, means of communication such as mobile phones or radios will be provided to individuals working alone to ensure that they can remain in contact with their section and with other co-workers. At vehicle bases, offices for operational sections will have boards on which the vehicle keys can be stored, thus providing a quick means by which the relevant supervisor can check whether or not vehicles have returned to base at the end of the day. Where necessary, drivers will be provided with travel instructions and also with details of the procedures that they may have to follow when visiting premises belonging to other organisations.

Boards asking whether or not the vehicle is being driven well and giving a telephone number may be attached to the rear of selected Council owned vehicles. Positive reports received by the authority will allow employees who drive to a high standard to be recognised.

Any incidents involving acts of violence or aggression directed towards drivers working for the Council will be investigated by the appropriate line manager.

e) Driver Training

The Council will take all reasonably practicable measures to ensure that individuals driving for the Council are appropriately trained and competent. All drivers driving specialist vehicles such as refuse freighters or road sweepers will have the appropriate licence and will receive an induction session covering the use of the vehicle that they will be driving. Training sessions for certain categories of drivers (e.g. those regularly using Council vehicles or driving for long periods) will also be provided in how to deal with the various situations that they may encounter whilst driving, this training to include:

- First aid procedures
- Breakdown procedures
- Loading/unloading equipment and techniques (where applicable)
- Duties under road traffic legislation
- Drivers hours regulations (where applicable)
- Effects of drug and alcohol use
- The effects of speed and traffic levels
- The effects of fatigue and stress
- Communication Procedures
- The Council's Smoking Policy

The above training should assist drivers in fully understanding the measures that they need to take in order to secure their own health and safety whilst driving and also provide them with information on how to cope in an emergency situation.

f) Mobile Phones

The use of hand held mobile phones whilst driving is now an offence. This means that under no circumstances should an employee use a hand held mobile phone whilst driving. Whilst the use of hands free kits is not illegal, users of such a kit still risk prosecution for failing to have proper control of their vehicle. It is the policy of Cheshire East Borough Council that employees do not use mobile phones whilst driving but use a message service or call-divert and pick up any messages later when not driving.

5.0 EVALUATION AND REVIEW

This document shall be reviewed as and when necessary, but in any event, a formal review will take place by the 31st December 2010

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APPENDIX 1- DAILY VEHICLE CHECKS

Each day, before taking a Council owned or leased vehicle out, the driver must make the following checks:

- Fuel
- Oil
- Water levels (radiator and washer bottle)
- Tyre pressures and condition of tyres (tyre pressures weekly)
- Lights
- Indicators
- Brakes and brake fluid level or air pressure gauges
- Beacons (where applicable)
- Hydraulic oil level
- Mirrors
- Ancillary equipment (where applicable)
- Emergency stop (where applicable)
- Reversing warning signal (where applicable)
- Wheel nut markers (where applicable)
- Valid Road Fund Licence disc in place
- Valid "O" Licence disc in place for vehicles over 3.5 tonnes G.V.W
- Tachograph disc where required

Any defects should be rectified before the vehicle is taken out on to the road. In the case of a Council owned vehicle, any defects must be reported immediately to the relevant supervisor/manager in the Fleet Management Section using the Defect Reporting System.

Where necessary, the driver should also fill any sink container that has been fitted with clean water and check that the first aid kit is on board and is complete according to the contents list.

APPENDIX 2 - HAZARDS TO BE CONSIDERED IN RISK ASSESSMENTS

When completing risk assessments for driving at work managers should give consideration to the following points;

- The distance to be covered
- The time available to make the journey
- Rest breaks and access to welfare facilities
- The time of the journey, - Night driving / rush hour / early morning
- Adverse weather conditions
- The condition of the vehicle
- In car distractions – mobile phones, satellite navigation equipment
- Loads to be carried,
- Loads to be towed
- The experience of the driver
- The health of the driver including stress or fatigue

This is not an exhaustive list and other factors may need to be considered that are specific to the task, service or journey being undertaken.

Risk assessments for driving for work should be completed on the Cheshire East Risk Assessment form which is available on CEntranet.

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