

The Management of Occupational Road Risk Guidance



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Document Control

Version	Date	Detail	Author
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1.5	Feb 2023	Review following update of the Transport Code of Practice, Transport Briefing Notes and Telematics reports on the Fleet Services page on Our Derbyshire	Richard Bright
2.0	Nov 2024	Full review and update and new template	Richard Bright (Principal Engineer & Transport Manager Fleet Services) Hazel Coates (Finance, Risk & Insurance, Manager) Tim Beard (H&S Policy and Wellbeing Manager)

Purpose

The aim of this guidance is to raise awareness of occupational road risks within Derbyshire County Council and to identify key areas for action to reduce the associated risks to employees, the public and the Council.

This guidance must be read in conjunction with the Derbyshire County Council Transport Code of Practice, Transport Briefing Notes, and other Council policies.

Scope

This guidance applies to all Derbyshire County Council employees and volunteers who use their own or Council vehicles whilst at work on Council business.



Introduction

The Health & Safety at Work etc Act 1974 requires employers to ensure the health and safety of their employees and others who may be affected by their activities while at work. This includes the time when they are driving or riding at work, whether in a council or hired vehicle, or in the employee's own vehicle.

The Department for Transport provisional statistics for the year 2023 detail:

- 1,645 fatalities in reported road collisions, a 4% decline compared with the year 2022
- 29,643-reported killed or seriously injured (KSI) casualties, little change compared with the year 2022

The Council will reduce the health and safety risk to its employees from the use of road vehicles at work to the lowest reasonably practicable level, by:

- applying procedures to meet statutory, insurer and Council requirements, including fleet vehicles and minibuses; procedures to ensure that drivers' hours and rest periods meet the requirements specified within the Working Time Regulations 1998 (as amended); and undertaking checks of driver and vehicle documentation.
- ensuring that managers and supervisors take effective action with drivers for any exceptions raised by Fleet Services by the use of telematics in core fleet vehicles and reports produced.
- raising awareness of road safety issues by providing appropriate information, instruction and training to managers and vehicle users.
- requiring a risk assessment for all activities and journeys undertaken by vehicle users on council business.
- evaluating and reviewing the effectiveness of procedures and practices through monitoring and auditing at suitable intervals.
- reviewing and updating this policy and guidelines as required.

Roles and Responsibilities

Corporate Management Team (CMT)

- Will endorse and support the guidance and ensure that sufficient resources are provided to ensure compliance with this guidance

Departmental Senior Management Team (SMT)

- Will ensure that sufficient resources are provided to ensure compliance with this guidance, tailored to the specific requirements of their department.

Head of Service (HoS)

- Will ensure suitable and sufficient resources are provided to comply with the requirements of this guidance.
- Provide local Union Safety Representatives with all information, relevant to this guidance on request.

Line Manager

- Is responsible for familiarising themselves with this guidance and ensuring that their employees read and understand this guidance
- Identify any potential hazards within their areas of responsibility or control.
- Undertake any required risk assessments
- Implement measures to control any identified risks.
- Cease any activities where a significant risk of serious injury cannot be effectively controlled, escalating any such risks for which the controls cannot be immediately implemented or controlled locally to the appropriate risk register until those controls become effective.
- Implement any actions identified from incidents, accidents and near misses.
- Raise awareness in relation to the management of occupational road risk.
- Identify training requirements across their area of work and ensure that employees complete any required training.
- Maintain appropriate standards of service

Non-employee/Volunteer

- Non-employees have no specific duties, but the requirements of the Health and Safety at Work Act do apply and they have a duty to others to report any defects or situations that may affect safety.

Contractor

- Will make proper use of any control measures arising from risk assessments, follow safe systems of work and abide by local rules.

Employee

- Must take reasonable care for the health and safety of themselves and others who may be affected by their actions
- Co-operative with the council in matters of health and safety and comply with health and safety policies and guidance

Health, Safety and Wellbeing Function (HSW)

- Will provide support, advice and guidance as requested.
 - Offer support, advice and guidance to managers carrying out risk assessments.
 - Seek assistance from specialist organisations when necessary.
 - Will provide advice and guidance on medical aspects including health surveillance in order to detect early signs of work-related ill health among employees exposed to certain health risks.
 - Monitor the effectiveness of this guidance.
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Arrangements

Fleet Vehicles

County Transport has overall responsibility for the safe operation of Fleet Vehicles. Each Department has one or more Transport Officer(s) to assist in day-to-day management of their vehicles.

Departmental Transport Officers operate vehicles in line with Operators Licencing requirements and the Derbyshire County Council Transport Code of Practice. In addition, those departments operating Minibuses do so in accordance with the Transport Briefing Note 114 - Minibus Operational Requirements.

County Transport provides updates on all Transport Operations through HR Managers Bulletins and pages on Our Derbyshire and EDRM at [Fleet services](#) and [Place - Fleet Services](#) respectively.

Any queries on the safe operation of any vehicles should be directed to County Transport at county.transport@derbyshire.gov.uk

Fleet Insurance

The Risk and Insurance Manager will, in consultation with the Head of Fleet Services, assess the insurance cover appropriate for the Council's fleet.

The principal conditions of the insurance are that:

- the vehicle is driven by an authorised person
- the authorised person holds a valid driving licence for the vehicle
- the vehicle is being used for the purposes authorised by the Council

The Council is required legally to maintain the Motor Insurance Database (MID) for all vehicles owned or operated by the Council under its insurance cover.

County Transport from are responsible for the upkeep of the MID in relation to the acquisition and disposal of vehicles.

Departments must send to County Transport, every week, details of all externally hired vehicles operated under the Council's motor vehicle insurance.

Manager's Guidelines

Drivers

Managers must ensure that before an employee or volunteer is permitted to drive a Fleet Vehicle, Hire Vehicle, or their own vehicle on Council business, that the individual holds a valid driving licence and is aware of the Transport Code of Practice and all relevant Transport Briefing Notes that details drivers' responsibilities

Managers must also ensure that all grey fleet drivers for casual or essential use are made aware of the legal requirements of the mileage claim form.

All Drivers and Vehicles

Before any employee or volunteer uses a Fleet vehicle, hire vehicle or their own vehicle on Council business, managers must ensure that:

The individual:

- is not currently disqualified from driving.
- has the necessary driving licence category, experience and/or training to drive and safely operate the vehicle and any trailer for the intended task and journey.
- is provided with agreed realistic work schedules.
- is given relevant information to enable them to undertake their journey safely.

The vehicle to be used:

- has a valid MOT certificate.
- has at a minimum, Third Party insurance, which includes business use, for the intended vehicle user.
- is suitable for the intended task and journey.

Managers must always keep under review the standard of driving of employees and volunteers driving on Council business. Re-training of drivers should be considered on a case-by-case basis according to any problems identified, including the accumulation of penalty points on an individual's driving licence.

Responsibilities of all drivers

Managers must ensure that, when using a vehicle on Council business, employees and volunteers fully understand they must:

Before the journey:

- check the vehicle is in a roadworthy condition.
- allow sufficient time to complete the journey safely.
- meet the minimum eyesight standard for driving. If glasses or contact lenses are needed, they must be worn.
- have no medical condition, including the taking of medication or infirmity that may affect their ability to drive safely.
- are not excessively tired, fatigued or under the influence of alcohol or drugs - further information is contained within the Council's Alcohol and Drug use – Managers Guidance.
- ensure that nothing is placed unrestrained in the passenger area that may cause a distraction to the driver or injury when braking or on impact in an accident.

During the journey:

- comply with all relevant legislation and the latest edition of the Highway Code, including speed restrictions.
- ensure that, where fitted, seat belts or appropriate restraint systems are used by them and their passengers.
- not use hand-held mobile phones whilst driving.
- take sufficient rest breaks to prevent tiredness and fatigue particularly on long journeys or after an unforeseen call out.
- drive with courtesy and consideration for their passengers and other road users.
- not smoke or vape whilst driving or riding in vehicles on Council business.

Drivers must in particular:

- not admit liability for accidents under any circumstances - this is a condition of insurance for drivers of Council vehicles.
- report immediately to their line manager any accident/incident or if stopped by the police while driving on Council business.
- report to their line manager an endorsement for a serious driving offence or suspension of their driving licence.

Managers must:

- report all accidents in Derbyshire County Council fleet vehicles (or DCC hired vehicles) and ensure that an accident claim form is completed without delay and sent to County Transport within 2 working days of the accident.

Serious Driving Offences (see following table)

Managers must consult their HR business partner and County Transport about any individual who uses or intends to use a vehicle on Council business who has received in the last five years, an endorsement for a serious driving offence or is disqualified from driving at any time.

This is to allow for the arrangement of alternative working arrangements for the individual if disqualified from driving or if driving is still allowed, to assess the risk of allowing the individual to drive vehicles on Council business, including any retraining which may be required.

The relevant serious endorsements are:

Failing to stop after an accident or failure to report an accident within the specified time	AC10 to AC30
Driving, or attempting to drive, whilst disqualified	BA10 to BA30
Careless driving	CD10 to CD70
Reckless/Dangerous Driving	DD40 to DD80
Driving or attempting to drive whilst under the influence of alcohol or drugs	DR10 to DR90
Using a vehicle without insurance	IN10
Driving licence offences, e.g., driving whilst having no licence to drive	LC20 to LC50
Motor racing on the highway	MS50
Disqualification under the totting up procedure	TT99
Theft or unauthorised taking of a vehicle	UT50

Change in travel arrangements

Managers must ensure continuous effective management where an employee or volunteer advises any changes in their usual travel arrangements (such as use of their own vehicle on Council business) that may significantly affect the way their duties are undertaken. Adjustments should be made in accordance with agreed Council policies and procedures.

Monitoring

Internal Audit may at any time ask to see documentation relating to the individual and their vehicle which is used on Council business. This may include driving licence, insurance documents and MOT certificate where applicable.

Where an employee or volunteer knowingly falsifies records, expense claims or related documents they will be subject to the Council's disciplinary procedures.

Dependencies

Derbyshire County Council Transport Code of Practice

Fleet Services Transport Briefing Notes

Management of Health and Safety at Work Regulations 1999

Department for Transport - accident statistics

Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)

Provision & Use of Work Equipment Regulations 1998 (PUWER)

Working Time Regulations 1998 (as amended)

Derbyshire County Council Substance Misuse Policy and Guidance