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01 INTRODUCTION

It is estimated that more than a quarter of all road traffic incidents may involve somebody who is driving as part of their work at the time (Department for Transport figures). Health and safety law applies to work activities on the road in the same way as it does to all work activities, therefore it is paramount that the risks to drivers (and others who may be affected) are included as part of health and safety arrangements.

Scope

This Policy applies within all Lancaster City Council remits, and it applies to all staff operating any vehicle as part of organisational business activities, and includes Vehicles owned by the organisation, other organisational leased or hired vehicles and staffs' personal vehicles authorised for use on organisational business. This will include:

- Direct employees,
- Bank staff or agency staff supplied by an Agency to undertake a specific role within one of the organisation's services.
- Any additional drivers who have been authorised to drive the vehicle provided, e.g. partner of organisational car holder.
- Employees attending an organisational office, event or other location on organisation business, e.g. training, meeting etc. (excluding travel to and from a single place of work).
- Any other additional drivers who have been authorised to driver for specific tasks e.g. delivering or collecting items.

Purpose

The Organisation has a legal responsibility to ensure the health, safety and welfare of our employees whilst at work, the people we support and others e.g. members of the public and to provide suitable systems for ensuring the safety of all plant and equipment, including vehicles.

This policy and associated information are designed to ensure organisational drivers are aware of their responsibilities. Control measures are in place to minimise any risks to our staff, and members of the community.

02 GENERAL POLICY STATEMENT

Lancaster City Council recognises that although its primary responsibility is for the health and safety of staff engaged in driving at work, it also has a duty of care for other road users and members of the public who could be put at risk by work related driving activities.

The Organisation is committed to upholding high standards of Health and Safety. This policy is designed to ensure full adherence to all applicable driving related regulations and best practices. The provisions of this policy are centred around compliance with all driving related legislations.

This Policy sets out the organisation's arrangements for the control of work-related driving taking into account the requirements of health and safety legislation, road traffic law and regulations and standards relating to specific vehicles used. In addition, the organisation recognises that environmental impact and sustainability are important considerations with respect to work related travel and that these issues should be considered as part of the assessment for any journey undertaken.

The organisation will achieve this through:

- Selection and procurement of appropriate vehicles which takes into account the purpose of the vehicle and its use.
- Selection of competent contractors.
- Provision of driver awareness / Driving assessments / vehicle specific training (where deemed relevant) for drivers.
- Regular maintenance, servicing and inspection of our vehicles.

- Audit regimes set by operations / quality management teams.
- Planning for foreseeable emergencies.
- Accurate record keeping.

It is the Policy of the organisation that wherever there is a safer, more practical or more cost-effective alternative to driving then it should be used.

Compliance with this policy will require the full co-operation of all levels of staff, however, failure to comply in full or part and any subsequent legal / criminal charges and associated fixed penalties or licence endorsement will result in an individual being responsible for the full consequences of their actions which may include disciplinary action.

The use of any organisational vehicle and the carriage of any unauthorised passengers for any purpose other than organisational business is expressly prohibited.

03 LEGISLATION

The organisation has a responsibility under sections 2 and 3 of the Health and Safety at Work etc Act 1974 to ensure, so far as reasonably practicable, the health and safety of employees and others (people not employed) who may be affected by the work activities. It applies to all work activities and premises and everyone at work has responsibilities under the Act.

The Management of Health and Safety at Work Regulations 1999 also require that risks to employees and others arising from work activities are assessed and managed. The Provision and Use of Work Equipment Regulations 1998 places a duty on the organisation to ensure that all work equipment, including any vehicle irrespective of ownership, is operated and maintained safely.

The Road Traffic Act 1988 (as amended) poses duties on all road users for the roadworthiness of the vehicle, the load being carried and the wearing of seat belts by passengers. Note: This list is by no means exhaustive, but it identifies some of the key pieces of legislation associated with driving at work.

04 ORGANISATION AND MANAGEMENT RESPONSIBILITIES

The organisation has a responsibility under sections 2 and 3 of the Health and Safety at Work etc. Act 1974 for the safety of employees and others who may be affected.

Chief Executive Officer

The Chief Executive Officer has overall responsibility for ensuring that the Organisation meets its statutory obligations and that effective arrangements for the management of health and safety are put in place.

Senior Leadership Team (Chief Officers)

The Senior Leadership Team have ultimate responsibility for ensuring that the Organisation meets its statutory obligations and that effective arrangements for the management of health and safety are put in place and are therefore responsible for setting and approving policy direction in relation to employees driving on organisational business.

Transport Management

HR and the Transport Management Team are responsible for ensuring the provision of arrangements in relation to driving at work and ensuring that the organisation's policy is implemented for their respective services, for providing support and advice to their respective managers and monitoring implementation of this policy within their respective areas.

They should understand the legal requirements to manage vehicle safety, and ensure adequate resources are available for policy implementation, including replacement/maintenance of organisational vehicles and provision of any training as relevant. They must ensure that:

- There are mechanisms in place to ensure that staff are qualified to drive organisational owned or leased vehicles.
- There are systems in place to ensure that any vehicle owned or hired by the organisation and privately owned vehicles used on organisational business activities are maintained in a roadworthy condition and comply with legal requirements.
- Any local rules are published for driving at work activities and there are systems in place to bring these to the attention of all relevant staff.
- There are systems in place for monitoring and reviewing policy implementation and reporting on progress, as required.
- There is implementation of disciplinary procedures for non-compliance, if required this will be escalated to the supervisor of the officer.

Where relevant are responsible for the following:

- Liaising with other relevant managers ensuring that pre-employment checks for new starters in each driver category are carried out in full.
- Collate annual driver declaration forms for employees in each driver category, including:
 - Checking of driving licences via the Continuum portal on the following link: <https://continuum.ttc-uk.com/company/lancaftercitycouncillocal> or by contacting the Transport manager
 - Checking /retaining the vehicle insurance certificate for owner drivers Via the Continuum portal
 - Checking /retaining copies of valid MOT certificate for owner drivers (for own vehicle only) via the Continuum portal
- Inform and advise the member of staffs Line Manager immediately of any concerns or convictions which may affect the legality or ability to drive on organisational business.

Are responsible for collating and maintaining records for all drivers, including current driving licence, MOT certificates and insurance details (when claiming vehicle related expenses) and informing all relevant parties of discrepancies or concerns that may affect the cover of organisational insurance.

Health and Safety Team

The Health and Safety Team is responsible for advising on appropriate measures to meet legal and organisational requirements as required.

Other Responsible Managers

Are responsible for ensuring all vehicles within their team/department are adequately maintained and fit for purpose on a day-to-day basis. This includes, but is not limited to

- Fuelling

- Cleaning (including number plates, windows and lights.)
- Tyres are suitably inflated and road worthy.
- Oil levels are at an adequate level.
- Windscreen wash is topped up.
- The vehicles interior is clean and in a suitable condition.
- Safety and emergency equipment is present and suitable (i.e. First aid kits, fire extinguishers, etc.)
- Ensuring pre-use daily checks are completed
- The correct training has been issued and recorded on learning zone.
- Accident/ incidents have been reported to the Transport Manager and relevant supervisors
- Driver's hours records are recorded and kept
- Driving licence information is checked on continuum

Managers/Supervisors may also be responsible for ensuring drivers are aware of the risks of driving and ensuring they are fit to drive.

Employee Drivers

Employees have a clear duty under section 7 of the Health and Safety at Work etc. Act 1974 for the safety of themselves and others. Drivers also have a duty under the Road Traffic Acts (as amended) for the roadworthiness of the vehicle, the load being carried and the wearing of seat belts by passengers as detailed in The Highway Code, therefore, the implementation of this policy requires the full co-operation of all levels of all staff who drive on organisational business by:

- Ensuring they are fit and competent to drive.
- Complying with the Driving at Work Policy, the requirements of any associated policies and any other guidance provided in the interests of safe driving at work.
- Carrying out pre-journey vehicle checks and are satisfied that prior to any journey on organisational business that the vehicle they are driving is fit for its purpose and roadworthy.
- Not driving a defective vehicle, reporting any organizational defects on a defect sheet and report all defects to the Vehicle Maintenance Unit and their line manager/supervisor.
- Ensuring that private vehicles that are used for organisational business are roadworthy and maintained according to the manufacturer's specifications; appropriately insured for business purposes, taxed and have a valid MOT certificate where applicable.
- Reporting any vehicle accidents or incidents that occur whilst driving at work and following the instructions on the Claims Reporting Card and then to be recorded on My Compliance system.
- Being familiar with the action to be taken in an emergency situation.
- Being aware that fatigue will be more of a problem at certain times (there is an increased likelihood of falling asleep at the wheel in the afternoon and in the early hours of the morning);
- Remain calm and focused while driving, avoiding any situations that may lead to stress or road rage. Do not engage in aggressive driving behaviour under any circumstances. Drivers must not drive if feeling angry, frustrated, anxious, overly tired, or otherwise emotionally unfit to do so safely.
- Only using an organisational vehicle for personal use with the express permission of the organisation, as failure to do so may invalidate the insurance cover, leading to a claim against the staff member.
- Ensuring that they are medically / physically fit to drive including that their eyesight satisfies the eyesight requirements set out in the Highway Code.
- Not driving while under the influence of alcohol, prescription medication or "over the counter" medication if this affects the ability to drive safely, or illicit drugs.

- Allowing sufficient time for planning the route, driving the route and the breaks needed to prevent fatigue - when appropriate extra journey time and breaks should be built into the journey plan.
- Disclosing any driving related cautions, convictions, bind overs, pending prosecution, reprimands or warnings which arise during their employment as a condition of their ongoing employment.
- Disclosing any motoring offences including cautions and convictions which arise during their employment as a condition of their ongoing employment.
- Disclosing any medical conditions that may affect their ability to drive safely, including disease or physical infirmity including those which are legally notifiable to DVLA.
- It is the employee's responsibility to inform your line manager if you undertake additional employment outside of the City Council and that appropriate arrangements are put in place to log any hours worked outside council working hours this will assist the council in ensuring their employees are not at risk of contravening drivers hours or working time directive.

Any drivers found not to have disclosed such circumstances may be subject to disciplinary action.

It is important that all drivers are fully aware that they are required to comply with the requirements of the Road Traffic Act 1988, as detailed within the Highway Code. Under this act, the driver is responsible for the roadworthiness of the vehicle, the load being carried and the wearing of seat belts by passengers.

Any driver who fails to follow organisational procedures in accordance with this policy, may be subject to disciplinary action.

Health and Safety Trade Union Representatives

Health and Safety Trade Union Representatives are available for consultations with the direct teams. All Representatives can have access to all driving data and inspections / audit data when requested.

05 TACKLING CLIMATE CHANGE

in January 2019 declared a climate emergency with the aim of finding ways in which our services can become carbon neutral by 2030.

Initiatives include:

- make the councils activity zero carbon
- consider systematically the climate change impact of each area of the council's activities
- increase local resilience to climate impacts already in the system
- maximise local benefits of these actions in other sectors such as health agriculture transport and the economy
- support and work with all other agencies towards making the Lancaster district zero carbon within the same time scale.

To assist in contributing towards being carbon neutral by 2030 we want our staff and members to travel in smarter safer and greener ways when on council business.

The council acknowledges that when undertaking its core business activities, it has direct impact on the environment particularly through vehicle emissions fuel consumption and traffic congestion and that ineffective business related travel can result in significant and unnecessary costs and an ineffective use of time.

With this in mind before undertaking business travel of any kind all staff should consider whether the journey is actually required for the business activity or could be fulfilled by other means.

06 RISK ASSESSMENT / DRIVING AND PREGNANCY

Risk Assessment

Risk assessments for any work-related driving activity should follow the same principles as those for any other work activity as outlined under Regulation 3 of the Management of Health and Safety at Work Regulations 1999.

A risk assessment is a careful examination of what work activities can cause harm and considers whether adequate controls have been implemented to prevent/minimise harm.

All risk assessments are recorded within the My Compliance system.

Driving and Pregnancy

For employees who are pregnant, there is no exemption to wearing a seat belt.

There is a requirement under the Management of Health and Safety at Work Regulations 1999 to take particular account of risks to new and expectant mothers when assessing risks, therefore when an expectant mother has informed her line manager, a risk assessment will be carried out by line management.

Information relating to the safe use of seatbelts for expectant mothers can be found on the following link:

<http://www.rospa.com/rospaweb/docs/advice-services/road-safety/vehicles/seatbelt-advice.pdf>

07 AUTHORISED DRIVER APPROVAL

Before any employee is allowed to drive on organisational business, they must be approved as an Authorised Driver and there are a number of checks which need to be made as part of the authorisation process which are detailed below. Agency staff who are required to drive organisational vehicles are subject to the same procedure as permanent employees and must be authorised as an approved driver before they are allowed to drive organisational vehicles.

Employees shall not drive on organisational business until they have received notification that this process has been completed by the transport manager.

The organisation reserves the right to refuse or withdraw authorisation, with good cause, to drive on organisational business at any time.

Confirming driving Licence to an employer

Employees driving on organisational business are asked to provide evidence of their driving licence record (entitlements and/or penalty points). This can only be done online by via the Continuum portal.

<https://continuum.ttc-uk.com/company/lanastercitycouncillocal>

Employees are required to generate a Login in on the Continuum portal, on the link provided above, create a login and completed driver declaration form.

New Drivers

Drivers who have recently passed their driving test must be allowed adequate time to become confident with driving a vehicle before being asked to drive the people we support. Managers must ensure that prior to driving the people we support they discuss the issue with the prospective driver.

Driver Pre – Employment and Annual checks

Some checks and actions are common to all the driving categories, but some are specific to particular groups. These checks are then repeated annually. Records are held confidentially and are detailed in the following lists:

Pre – employment checks

- Staff to complete a pre-employment medical assessment form
- Staff to create and complete the Login in on the Continuum portal so the correct driving licences/qualifications can be checked <https://continuum.ttc-uk.com/company/lancastercitycouncillocal>
- Managers/ supervisors to check the new employee has the correct permit to drive
- A review should be carried out where the individual's driving record indicates poor driving having six or more points on their licence.
- Managers/supervisors to have the correct training plan in place for the new employee and to ensure all training is completed before any driving is carried out.
- Grey fleet/own vehicle users to add insurance certificate and vehicle details to the Continuum driving licence portal, vehicles to be checked for tax, MOT and insurance to be checked for business use. Managers/ supervisors to ensure these checks have been completed on the Continuum portal and the employee has a valid permit to drive.

Annual checks and Records

- Staff to complete the Driving Licence Checking Declaration on Continuum, a step by step guid for this can be found here, [Support - Continuum](#)
- Managers/supervisors to check employees driving licence and ensure they still have a valid driving permit.
- Managers/supervisors to checks Grey fleet/own vehicle user details via Continuum to ensure they have valid insurance, tax and MOT
- Managers/supervisor to check that all relevant training has been completed and is UpToDate.
- A review should be carried out where the individual's driving record indicates poor driving ie 2 accidents that have occurred over a 6 month period having six or more points on their licence.

08 ENDORSEMENTS, CONVICTIONS AND FIXED PENALTIES

Disclosure

Staff are required to disclose to their manager any unspent motoring offences including cautions and convictions which arise during their employment whether on organisational business or not, as a condition of their ongoing employment.

Managers must investigate the reasons for any endorsements and convictions to assess the risk to the member of staff concerned and others, if they continue to drive on organisational business.

Driver Responsibility

Whilst driving on organisational business, employees are considered to represent the organisation and their behaviour whilst driving is a reflection on the image of the organisation. The organisation therefore expects everyone who drives for work to drive safely for their own and others benefit. Employees are expected to be courteous and to abide by the Highway Code and road traffic laws, in particular observing any local and national speed restrictions.

The driver is responsible for all endorsements, penalties and fines incurred whilst driving a organisational vehicle and/or their own vehicle when on organisational business. In the event that a single or number of endorsements are incurred which affects the employee's ability to fulfil their role, or affect the business or reputation of the organisation, this may be addressed in accordance with the relevant policy (e.g. capability; discipline). Drivers found breaking legal speed restrictions or prosecuted for any driving offence while on organisational business may face disciplinary action. If a speeding offence is committed while transporting the people we support, action may be taken in line with the disciplinary procedure. In the case of a third party their ongoing service provision to the organisation will be reviewed.

Where an employee is a passenger in a vehicle being used on behalf of the Organisation either by a fellow member of staff or by a third party and the driver exceeds the speed limit, it is strongly advocated that the employee request that the driver reduces their speed to within the speed limit. When the journey is complete the employee must report this matter to their line manager.

It's the driver's responsibility to ensure not to drive faster than the speed limit for the type of road and the type of vehicle. Drivers should be aware that vans/commercial vehicles have lower speed limits than cars, please see the table below.

Type of van	Built up area*	Single carriageway	Dual carriageway	Motorway
Van	30 mph	50 mph	60 mph	70 mph
Car-type van	30 mph	60 mph	70 mph	70 mph
Van and trailer	30 mph	50 mph	60 mph	60 mph

All information regarding speed limits can be found here, [Speed limits - GOV.UK](#)

Driving Offences – Penalties and Fines

The driver is responsible for all driving offences committed whilst in control of a vehicle, therefore, for all associated penalty fines incurred during the use of an organisational vehicle (this includes organisation owned, leased or contract hired and short-term hire vehicles) and staffs own vehicles used for organisational business (example parking and speeding fines). The organisation will not reimburse drivers for any fines. If a driver disputes a fine, it is their personal responsibility to do so directly with the relevant authority.

In certain cases, the non-payment of a fine will result in the relevant local authority sending a reminder to the Finance Department. In these circumstances if the organisation pays the fine on the driver's behalf the amount of the fine will be deducted from salary. Where speeding is concerned, this may also result in disciplinary action in line with the organisation's disciplinary policy.

09 HEALTH, MEDICAL CONDITIONS AND FITNESS TO DRIVE

Fitness for Driving

It is the individual's responsibility to ensure that they are fit to drive when they take a vehicle onto the public highway, this would include where any drivers are subject to requiring a D4 medical examination

to determine medical fitness. Drivers must not start or continue driving if they feel tired or unwell, or if they are taking prescription or over-the-counter medication that a pharmacist or GP has advised could impair their ability to drive safely.

Drivers must not drive if suffering from any medical condition, which may affect their ability to drive. A person, who is required to drive as part of their employment, must disclose any medical conditions that may affect their ability to drive safely, including disease or physical infirmity including those which are legally notifiable to DVLA,

Responsible Managers must then:

- Obtain as much relevant information as possible from the member of staff, including why their driving may be affected.
- Obtain advice from Human Resources if the proposed action is likely to have a significant effect on the individual's employment.
- Take the person off driving duties until further clarification can be obtained; and
- Consider referring to Occupational Health for further assessment and advice.

All drivers should review their own day-to-day health in respect of their ability to drive safely, for example, if they are suffering from influenza or a migraine or are taking medication that may impair their driving.

All staff who drive as part of their work activities must complete the Driver Declaration Form annually. Issues highlighted may result in a referral to the Occupational Health Service.

The Driver Vehicle Licensing Agency (DVLA) sets minimum medical standards and rules for drivers, including conditions that must be reported to the DVLA. Staff with any of these conditions must also report them to their line manager.

The Gov.uk 'Check if you need to tell DVLA about a health condition', provides information on medical conditions and whether they need to be reported, and is available on the following link:

- <https://www.gov.uk/health-conditions-and-driving>

Or check with the Driver and Vehicle Licensing Agency, DVLA, on 0300 790 6806

Eyesight

All drivers have a legal duty to satisfy the eyesight requirements in the Highway Code (read a vehicle number plate, in good daylight, from a distance of 20 meters (or 20.5 meters where the old-style number plate is used)) and are therefore personally responsible for ensuring that their eyesight meets these requirements.

If drivers need to wear glasses (or contact lenses) to do this, they **MUST** be always worn while driving.

Alcohol, Medication and Recreational / Illicit Drugs

Staff have personal responsibility to ensure that they are fit to drive and are not under the adverse influence of any medication, other drugs or alcohol and are not permitted at any time to do so whilst under the influence of drugs or alcohol.

Staff taking prescribed or over the counter medication should check with their doctor or pharmacist if the drugs they are taking for medical reasons will affect their ability to drive safely. Where driving is likely to be affected, this should be reported to line managers.

The use of recreational / illicit drugs and / or alcohol during work hours is not permitted. All workers likely to drive should also be aware that consumption of drugs/alcohol outside work hours may affect their ability to drive safely the following day and may also leave them outside the legal drink/drug drive limit. If a driver is unsure whether they are safe or legal to drive, then they should not drive.

Managers/supervisors at all levels **must** ensure that all incidents are reported in accordance with current policy/procedures.

Should an employee be charged with a drink / drug driving related offence they must report it to their line manager immediately or at the earliest opportunity. Employees who are convicted of such offences, and / or who have their licence suspended must report it to their line manager immediately or at the earliest opportunity. They may also be subject to disciplinary action in line with the disciplinary procedure.

Deterioration in Driving Performance

Managers must investigate complaints or reports relating to poor driving and assess the risk to the person and others, to establish the need for further action (for example training, preclusion from driving activities etc.)

Managers must monitor vehicle incidents. Where an organisation vehicle driver has **two** incidents within a 12-month period, for which they are at fault, Senior Management will assess the suitability of their driving for business.

10 JOURNEY PLANNING

All managers must make sure work-related journeys are properly planned and scheduled, taking account of adequate time, breaks, driver fatigue and weather conditions. This includes planning work duties so that staff have sufficient time to drive safely within speed limits, and with adequate rest periods to reduce the risk of driver fatigue and tiredness.

11 SEVERE WEATHER CONDITIONS

In extreme bad weather, only journeys which are absolutely necessary should be made and staff should not be required to drive as part of their work in hazardous conditions such as heavy snow/blizzard condition, torrential rain or thick fog.

Contingency planning should include procedures to prepare for extreme weather e.g. ensuring adequate supplies are sourced; measures for staff in mid-journey and faced with extreme weather conditions.

Where journeys are necessary and cannot be avoided it is essential to adequately prepare for the journey. In winter managers should regularly check weather forecasts to ensure that relevant preparations can be made.

12 TELEMATICS AND FOBS

In-vehicle telematics are used to help to monitor and improve staff's driving. This technology enables accurate information about a person's driving to be collected and enables the driving behaviour of an individual or groups of drivers to be analysed to identify strengths and weaknesses, crash risk and to create personalised feedback.

Therefore, in order to help manage the risks from driving, telematics boxes are fitted to organisation vehicles, with the aim of:

- Supporting the organisation in its duty of care to its employee.;
- Monitoring the use of organisation vehicles to make fleet management more efficient and cost effective.
- Ensuring employees drive safely and comply with speed restrictions and the organisation's Driving Policy.
- Providing a recorded journey history. Real time information regarding the location of the vehicle is essential and can be viewed at any time and used to monitor locations, driving speeds and distances covered.
- Supporting the reduction of running costs by specifically targeting those who speed and waste fuel, and supports the reduction of accidents.
- Helping to protect employees from false claims made by the public or other road users, which may aid in reducing third party claims and lower insurance premiums.
- Aiding the reduction of wear and tear on the vehicles, thus reducing maintenance costs.
- Enhancing the security of vehicles as the whereabouts of the vehicle is known at all times.
- Managers being able to access real time information as they may require the support of tracking devices to respond to service demands.

Where a breach of this policy has occurred, the information from the telematic devices may be used as supporting evidence if disciplinary action is considered necessary.

The tracking ID fob creates a digital fingerprint to inform the City Council as to who is driving a specific vehicle at any given time.

It is the driver's responsibility to ensure that the correct issued fob is used when driving a council vehicle, these fobs must be kept secure at all times and not given to other employees to use.

It is the driver's responsibility to ensure that they will talking so when driving a council vehicle these pubs must be kept secure at all times and not given to other employees to use.

13 MOBILE TELEPHONES

It is illegal to use a hand-held mobile phone while driving. It is also an offence to "cause or permit" a driver to use a hand-held mobile phone while driving. Therefore, other employees can be held liable as well as the individual driver if they require employees to use a hand-held phone while driving. Using a hands-free phone while driving does not significantly reduce the risks. This is because the problems are caused mainly by the mental distraction and divided attention of taking part in a phone conversation at the same time as driving.

Drivers still face prosecution for failing to have proper control of their vehicle if the hands-free phone is deemed to be a distraction. In the event of an accident, the use of any phone or similar device may justify charges of careless or dangerous driving.

The police are likely to check phone records when investigating fatal and serious crashes and determine if use of the phone contributed to the crash. A driver who is using a phone at the time of an accident will be considered as being distracted and therefore potentially responsible for the incident, even if they were using a suitable hands-free kit.

Research shows that drivers who use a mobile phone, whether hand-held or hands-free:

- Are much less aware of what's happening on the road around them.
- Fail to see road signs.
- Fail to maintain proper lane position and steady speed.
- Are more likely to 'tailgate' the vehicle in front.
- React more slowly and take longer to brake.
- Are more likely to enter unsafe gaps in traffic.
- Feel more stressed and frustrated.

With this in mind, the organisation's policy is as follows:

Handheld Mobile Phones

Employees driving on organisational business are **not permitted to use handheld mobile phones whilst driving**. Any employee found to be in contravention of this Policy will be subject to disciplinary action in line with the organisation's disciplinary policy

Hands-Free Mobile Phones

The organisation **expects all drivers to avoid the use of such devices** and to switch the mobile phone off. The organisation expects all drivers to plan the journey to include time and places to stop for rest and refreshment and to return calls and check for messages.

14 HOURS OF WORK/DRIVING HOURS

Tiredness and falling asleep whilst driving is a significant cause of road accidents and incidents. To minimise the potential for these incidents, drivers should plan realistic schedules, allowing sufficient time for rest breaks whilst driving, particularly during long journeys.

Hours spent driving for work activities should be included in the total daily hours worked and driving time should stay within reasonable limits in order to minimise the risk of driver fatigue. This however puts a certain amount of responsibility on individual members of staff to adhere to the provisions detailed within this policy and supporting advice and guidance.

Workload should be organised where possible to combine numerous tasks and overnight stays rather than make frequent journeys.

Breaks should be taken during journeys prior to feeling fatigued. Where a driver is driving and starts to feel drowsy, they should stop their vehicle as soon as it is safe and take a rest break. It is the driver's responsibility to decide when to stop if feeling tired.

Where more than one member of staff is travelling, consideration should be given to sharing driving, provided there is adequate insurance cover.

15 RECORD OF JOURNEY DETAILS

We must ensure systems and procedures are in place which can identify and record:

- Vehicle driver
- Date of journey
- Destination
- Number of miles travelled

These are required to evidence due diligence in the event of insurance claims, driving prosecutions, fixed penalties, parking tickets and fuel theft. The Transport system automatically logs this information.

16 SMOKING

The organisation has a duty under the Health Act 2006 and associated regulations to ensure that smoking is prohibited in virtually all enclosed or substantially enclosed public places and workplaces at all times (this includes vehicles).

Drivers of any vehicle on organisational business must therefore not smoke inside the vehicle during or outside working hours to avoid exposure to smoke and residues by other workers on business journeys. Smoking is not permitted in any organisational vehicle even if the vehicle is used solely by one person. This includes the use of electronic cigarettes – commonly referred to as “vaping”.

Where the vehicle is going to be used by more than one person then it should display no smoking signs in the passenger compartment. The logo on the sticker should be at least 70mm in diameter.

17 SECURITY OF VEHICLES

Drivers are responsible for the security of the vehicle at all times. It is essential the vehicle is locked, and all security devices are activated when left unattended. Where a vehicle is to be parked for a long period, well-lit and manned car parks should be utilised wherever possible. Keys should not be left in the vehicle when unattended, even for short periods of time.

Wherever possible goods that belong to the organisation should not be left in the vehicle. When this cannot be avoided, they should be left in the locked boot, not on view. In the event that any of the organisational possessions are stolen from the vehicle, it should be reported to both the police and your Line Manager.

18 ACCIDENTS / INCIDENTS AND OTHER DAMAGE

Road Traffic Accidents

Any incident involving vehicles on the public highway resulting in personal injury must be reported to the Police within 24 hours – this is a legal duty. In the event of the Police considering it unnecessary to attend the scene you should ensure they record the accident being reported to them.

After any incident you must provide your name, contact details and vehicle registration number to the other driver involved and you should collect the same information from them. Collect insurance information at the same time, or as soon as possible afterwards. Every organisational vehicle should carry a Claims reporting card, the card has instructions of how to report the incident to the insurance company and the third party's details that are needed to be collected and retained. All organisational vehicle accidents must be reported promptly to line managers and recorded on my compliance reporting system as soon as practically possible following the occurrence along with a copy of the Claims Reporting Card.

Staff must follow the guidance given to them by their line manager or other responsible manager. Drivers of privately owned vehicles must promptly report such incidents to their insurance company and inform their line manager.

SG07B Accident Investigation guidance is available to support and health and safety related accident or incident.

Other damage caused to vehicle

The organisation invests in providing quality vehicles that are appropriate to the service and the intended use. The driver is responsible for reporting any damage caused by either driving or by the people we support, to their line manager, no matter how the damage has occurred.

It is recognised that the people we support will inevitably cause damage to organisational vehicles, however, all staff have a joint responsibility for ensuring that vehicles are treated and cared for in a responsible and professional manner which includes:

- Taking care to avoid damage by driving to the road conditions.
- Encouraging the people we support not to leave litter or other mess in the vehicle.
- Leaving the vehicle in a clean condition ready for the next person.
- Taking pride and ownership of the vehicle and encouraging others to do the same.

Note that large objects left rolling around the floor could result in an accident if they entered the driver's foot well and pedal area therefore these must be secured whilst the vehicle is in motion and removed at the end of the journey.

19 INFORMATION AND TRAINING

Vehicle Induction / familiarisation

Drivers must ensure they are familiar with vehicle controls prior to taking a vehicle out on the road, therefore, all new staff will be offered an opportunity to go through a vehicle familiarisation session, if applicable to their role, following which, a Vehicle Familiarisation Record must be completed and kept on file. Drivers who are unsure regarding any aspect of vehicle controls should seek support from their line manager.

Loading/Overloading

Overloading is dangerous, unlawful, and costly. Regulation 40A of the Road Traffic Act 1988 introduced by the Road Traffic Act 1991 40 A: A Person is guilty of an offence if he uses, or causes or permits another to use, a motor vehicle or trailer on a road when: (d) the weight, position or distribution of its load, or the manner in which it is secured, is such that the use of the motor vehicle or trailer involves a danger of injury to any person. Both the driver and the operator can be cautioned, incur penalty points, or prosecuted for an overloaded vehicle. In more serious cases, a prosecution could be brought for Dangerous Driving under the Road Traffic Act 1988, which carries a prison sentence of up to two years if found guilty.

It is your responsibility as a driver to ensure that you do not overload the vehicle. If you are in any doubt as to whether your vehicle is overloaded, remove some of the load *safely* before setting off and drive to the nearest weighbridge. If in doubt contact your line Manager / Supervisor.

Security of Load

Regulation 100 of the Road Vehicles (Construction and Use) Regulations 1986 – SI 1986 No 1078: (2)

The load carried by a motor vehicle or trailer shall at all times be so secured, if necessary by physical restraint other than its own weight, and be in such a position, that neither danger nor nuisance is likely to be caused to any person or property by reason of the load or any part thereof falling or being blown from the vehicle or by reason of any other movement of the load or any part thereof in relation to the vehicle.

Department of Transport Code of Practice, Safety of Loads on Vehicles:

1.1 The Road Traffic Act 1991 Introduced provisions into the Road Traffic Act 1988 making new offences, applicable to the state of loads on vehicles. These provisions reflect the seriousness with which the safety of loads on vehicles is now viewed.

1.2 Legal requirements and common sense require that all loads carried on vehicles are secured, whatever the journey. This is to protect the people involved in loading, unloading, and driving the vehicle, together with other road users and pedestrians.

Anything can constitute a load: people – drivers, crew and passengers, tarmacadam, bricks, bollards, brash, salt, mulch, sand, litter, fly-tips etc. and tools of the trade i.e. wheelchairs, wheelbarrows, strimmers, fuel, brushes, shovels, hand tools and plant

It is the driver's responsibility to:

- ensure that they are operating their vehicle legally at all times
- ensure the security of the load and confirm that it's secure on the Drivers Daily Check

It is the Supervisors/ Manager responsibility to check and monitor:

- that the driver is ensuring their vehicle is operated legally at all times
- the security of load including plant and fuel this is achieved by Crew Visits and Gate Checks.

Towing a Trailer

Vehicles capable of towing trailers have plates fitted to them, which give details of GTW. The total weight of the vehicle and the trailer must not exceed the GTW of the vehicle.

Additional Training

Additional training may also be required depending on the employee's duties, to include:

- DVSA approved Passenger Carrying Vehicle (PCV) minibus driver course
- Safe loading of vehicles (including vans or flatbed vehicles etc)
- Driver CPC
- Driver Assessment
- Bridge Strike awareness ***via toolbox talks to be recorded and added to the learning zone***
- Vehicle greasing procedure
- ADR

Driver CPC

The driver CPC (Certificate of Professional Competence) is a legal requirement from 10th September 2008 for PCV drivers and 10th September 2009 for drivers of vehicles over 3500kg GVW. Anyone who currently holds the required categories on their licence prior to the above dates will automatically receive the CPC which will be valid for 5 years. To qualify for your CPC for the next 5 year period you will be required to show 35 hours completed professional training carried out by a recognised CPC trainer. Failure to complete this requirement will result in the loss of your CPC and therefore render you unable to drive PCV vehicles or vehicles over 3500kg GVW professionally.

Assessment

All personnel driving vehicles on Lancaster City Council business must be in possession of a full and valid driving licence. The individual categories required on your driving licence will be confirmed on the application form and at interview.

As part of a commitment to develop a safe driving culture within the Authority, it is policy that all drivers who drive Authority vehicles or drive as a work-related activity shall undertake appropriate driver training if required, within 3 months of recruitment. Additionally further driver training will be provided to those at the highest risks, e.g. involved in a high level of accidents.

A record of the employee's training must be kept in their Personal File and uploaded to the learning zone.

Gate Checks

Gate checks is a recognised system of checking whether drivers are carrying out Daily Vehicle Roadworthiness and Defect Reports properly, and it is expected (by the DVSA and Traffic Commissioners) to be a part of any good vehicle maintenance regime. Gate Checks are for all fleet vehicles including spot-hire.

Gate Checks provide:

- evidence that we are complying with O Licence regulations and the DVSA Guide to Maintaining Roadworthiness
- evidence that drivers are carrying out effective and thorough daily walk around checks of their vehicles

- confidence that vehicles are operating in a safe, legal, and compliant condition
- an opportunity to rectify any issues of non-compliance

A system of Gate Checks can also reduce the time a vehicle is in for service and avoid expensive spot hire.

Supervisors/ Managers are required to conduct random spot checks or 'gate checks' on drivers and vehicles to ensure drivers are completing accurate and legible daily vehicle roadworthiness checks and defect reporting and to monitor security of loads.

20 VEHICLE MAINTENANCE

It is an offence under road traffic law to cause or permit a person to drive a vehicle that is in a dangerous condition

Drivers of privately owned vehicles are responsible for all costs associated with operating, maintaining, and insuring their vehicles when used for company business. It is not expected that any officers will be required to make modifications to their vehicles for business purposes.

Employees using 'pool vehicles' must leave the vehicle in a clean and usable condition after use and report any maintenance issues to their Line Manager / Vehicle Maintenance Unit.

Vehicles owed by the organisation shall be subject to the following servicing, maintenance and inspection regime:

- Servicing in accordance with vehicle manufacturer's schedules.
- Annual MOT (V class) after the vehicle's first year of registration (9 to 16 passenger seat minibuses);
- Annual MOT after the vehicle's third year of registration (cars and small minibuses);
- Pre-journey visual checks carried out by the driver; to include tyres, lights/indicators, mirrors, wipers, vehicle cleanliness, and emergency equipment.
- Daily documented vehicle checks.
- Other periodic vehicle audits deemed necessary by operation management.

Vehicles within grounds maintenance, street cleansing and the refuse department must be presented for scheduled inspection to the vehicle maintenance unit by 4:30pm the day before it's due date. All other vehicles are to be presented by 8.30am on the day of their scheduled inspection this again ensures the Vehicle Maintenance Unit can work as efficiently as possible.

Vehicle Daily Checks

All drivers of Lancaster City Council Vehicles are required to complete a vehicle check each morning, or before driving a new/different vehicle. A daily check book must be in the vehicle to enable drivers to confirm items that must be checked. Report all defects to the vehicle maintenance unit and inform your Supervisor/Line Manager; do not drive a defective vehicle. This procedure will be explained at your induction.

If there is no defect book in the vehicle you are required to drive, a defect book must be obtained prior to taking the vehicle from the premises. Failure to complete a daily check and defect book may result in further action being taken and could ultimately result in disciplinary action being taken.

The driver has primary responsibility for the operation of any vehicle and must be satisfied that the vehicle is fit for its purpose and roadworthy. Compliance with this requirement can be sensibly achieved by managers ensuring that periodic maintenance checks are carried out on the vehicles allotted to their site.

Checks should include monitoring of fluid levels (oil, coolant and screen wash) and tyre pressures - these checks shall be carried out when carrying out your daily checks at weekly intervals. It is the driver's responsibility to ensure that the record of weekly and daily checks are completed prior to driving, and then to undertake their own driver's basic safety checks and adjustments. This document only outlines the minimum requirements for safety checks; some vehicles may require additional checks such as inspection of vehicle tail-lifts, safety signage, and safety equipment such as reversing alarms. Additional checks will be undertaken and carried out by managers.

Daily checks of vehicles must include checking (as a minimum):

- Indicators
- Wipers & washers
- Tyres & wheels
- Tread Depth
- Lights
- Number plate
- Leaks
- Body security
- Reflectors
- Warning lamps
- Brakes
- Horn
- Steering
- Windscreen

Vehicle Servicing and Maintenance / repairs

Vehicle servicing and maintenance / repairs should only be conducted by a competent person. The manufacturers' recommended service intervals and warranties should be adhered to, which will ensure as far as reasonably practicable the on-going safety of the vehicle.

The maintenance schedule must also include the MOT test (3 yearly or annual). A maintenance log must be kept up to date for each vehicle containing all information relating to that vehicle. It is recommended that service records are kept for at least 15 months.

Drivers of Council (applicable) vehicles, must understand and follow Lancaster City Council's Wheel Torque Procedure which is available on the Intranet, copies made available and briefed.

Cleaning Vehicles

Cleaning Vehicles In order to reflect a good visual image of Lancaster City Council to the community we serve and also for health and safety reasons, it is important that you keep both the interior and exterior of your vehicle clean and free of clutter at all times. Particular attention should be paid to cab glass, driving mirrors, number plates and road lighting.

Vehicle filled with wrong fuel type

If a vehicle has been filled with the wrong fuel type, then the ignition / engine must not be started as this will circulate the contaminated fuel and increase the risk of expensive damage. It is entirely at the organisation's discretion if the driver will be charged for costs associated with this.

Cleaning

The vehicle should be cleaned internally and externally to project the best possible image. Automatic car washes can cause damage and micro scratching which damages appearance, so hand or jet washing is recommended.

Defect Reporting

Line Managers/Supervisors will be issued with Daily Check Books/Defect Sheets to be placed in the vehicle. The Defect Books are specific to the vehicle not the driver and should be left in the cab at all times. It is management responsibility to ensure that these checks are carried out daily and that the driver provides you with a copy of this vehicle safety check. All completed/part completed defect books must be returned to Fleet Management. All defects must be reported to The Vehicle Maintenance Unit as soon as possible.

Vehicle Breakdown

The Vehicle Maintenance Unit provides breakdown cover for organisational vehicles and details will be supplied the Transport Team. In addition, most new vehicles are covered for the first year by a breakdown service arranged by the manufacturer. In the event of a breakdown drivers should call the Vehicle Maintenance Unit on 01524 582781 and provided the relevant information regarding the breakdown. The number for all out of hour breakdown is 07968245602.

Fuelling and EV charging

The City Council utilises both bunkered fuel at White Lund depot and fuel cards for all diesel and petrol vehicles.

Various EV charging units are located around the district to enable operatives to charge their EV vehicles.

It is the driver's responsibility to ensure they have enough fuel or charge to be able to carry out their daily duties with the minimum disruption to productivity charging units within the depot and on site locations must be primarily used if this is not an option you are to discuss this with your line manager to ensure vehicle charging is as efficient as possible.

Vehicles that operate within our area of responsibility are only required to charge their vehicle up to 80% capacity at any roadside charging unit charge time is dramatically increased when charging a vehicle over 80% so this option is only suitable for either home charging or overnight charging.

Drivers must ensure their fuel / EV charge card is kept secure at all times.

21 DIGITAL TACHOGRAPH

Digital tachographs work by storing data on your activities and the vehicle speed and distance in their own memory and recording it separately on a driver's smart card. Employers must periodically download data from the digital tachograph (often known as the vehicle unit or VU) and from your driver's card and analyse the information to ensure you have complied with the rules.

If you have been issued a driver's card to drive a vehicle fitted with a digital tachograph you must:

- always use your smart card when driving a vehicle fitted with a digital tachograph, the VU records and reports on any periods where it has been driven without one.
- use the card on every driving day from the moment you take over the vehicle and not remove it until the end of the daily working.
- You must only hold one card at a time.
- Your card is personal to you and no one else is permitted to use it if they do your card can be withdrawn or suspended.
- Cards are valid for five years and can be renewed if lost stolen or damaged.
- DVSA may investigate if you apply for replacement cards too often.
- He must ensure the vehicle is fitted with a vehicle unit, and you carry 2 spare tachograph rolls for printing.

22 Grey Fleet

Grey fleet travel refers to mileage using privately owned vehicles for business purposes (driving at work), a "grey area;" where thousands of hidden miles are travelled each year and often overlooked by employers and employees alike.

The robust management of private vehicles use, "grey fleet" for business travel, plays an important part in supporting three key areas, health and safety, environmental sustainability and financial efficiency. It is important to remove unnecessary mileage by using technology that eliminates the need to travel, improves travel planning and makes use of more environmentally cost effective modes of travel like public transport, trains, taxis or hire cars, as examples.

As a reminder the following order of priority should be considered, where practical, at all times before using private vehicles for business use:

- **Public Transport:** it is Government policy that wherever possible public transport should be used in order the reduce congestion and pollution on the roads.
- **Pool Vehicle:** if available, pool vehicles should be used where practicable.
- **A line manger has checked Continuum for driving licence details and all "own Vehicle Checks" are up to date and valid.**

Employees driving for work using their own vehicle must ensure that it complies with the law and it is in safe and roadworthy condition.

Employees must also ensure:

- The vehicle is serviced, maintained to the manufacturer's recommendations and road safety legislation.
- The vehicle has a current MOT certificate (if required)
- The vehicle is insured for full business use.

22 MONITORING AND REVIEW

Monitoring of aspects of this policy will be as follows:

- The frequency of driver's documents checked annually.
- Declarations of compliance with this Policy will be made via expenses claim forms.
- Insurance and MOT certificate checks will be carried out annually.

This policy will be reviewed every two years unless changing circumstances require an earlier review.