

Safety Management Standard

Driving at Work

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Document Control

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1. Introduction

Up to 1 in 3 road crashes involves a vehicle being driven for work. Every week around 200 road deaths or serious injuries involve someone driving for work. Many of these deaths and injuries could have been prevented.

Derby Teaching Hospitals NHS Trust is committed to reducing the risk of work related road traffic crashes and collisions and recognises its duty under the Health and Safety at Work Act (1974) to ensure the wellbeing of all employees as far as reasonably possible. This includes work related driving activities.

2. Purpose and Aims

This Standard Management Standard (SMS) supplements the Health and Safety Policy. It aims to protect the health, safety and welfare of our employees and others affected by our activities in relation to driving Trust and private vehicles under 3.5 tonnes.

Note: This SMS does not relate to the driving of vehicles over 3.5 tonnes and minibuses but does relate to driving vehicles less than 3.5 tonnes on public roads and vehicles such as patient buggies, tandem scooters and tugs on Trust premises.

3. Definitions

For the purposes of this SMS the following definitions apply:

Driving at Work - Refers to any work carried out on Trust business that involves the employee driving a vehicle and covers all journeys other than to and from their normal place of work.

Trust Vehicle – Any vehicle owned, leased or hired by the Trust including road worthy vehicles under 3.5 tonnes and non-road worthy vehicles *e.g. patient buggies, tandem scooters and tugs.*

Private Vehicle – Any vehicle used by a person driving on Trust business which is not owned, leased or hired by the Trust.

Driver – For the purpose of this SMS this relates to paid and unpaid persons driving on Trust business *i.e. including volunteers*

4. The Law

Health and Safety at Work Act 1974 - Employers have a “duty of care” for the safety of employees at work, regardless of the type or size of the business. There is also a duty of care to others who may be affected by their business activities, which, in the case of driving, means all other road users.



Management of Health and Safety at Work Regulations 1999 - Employers are required to carry out risk assessments, make arrangements to implement necessary measures, appoint competent people and arrange for appropriate information and training.

The Workplace (Health, Safety and Welfare) Regulations 1992 - These Regulations cover a wide range of basic health, safety and welfare issues including traffic routes for vehicles within the workplace.

Road Traffic Acts supported by the Highway Code - The Highway Code applies to all road users and includes information on signs and markings, road users, the law and driving penalties. It is an offence for an organisation to set driver schedules which may cause them to break speed limits and / or have payment reward schemes which in any way give them incentives to do so.

The Road Vehicles (Construction and Use) Regulations 1996 - Provides information regarding the safety of loads on vehicles.

Corporate Manslaughter and Corporate Homicide Act 2007 - The Act introduces important new option for certain very serious senior management failures which result in fatality. Prosecutions will be of the corporate body, not individuals, but the ability to prosecute directors or other individuals under health and safety law or the general criminal law, in appropriate cases, will be unaffected. The corporate body itself and individuals can also still be prosecuted for separate health and safety offences.

5. Standards

The following are the standards that must be adhered to:

5.1. Risk Assessment

Risk assessments for any work-related driving activity should be undertaken as outlined in the Trusts Risk Assessment Safety Management Standard.

A generic driving risk assessment is available on the Health & Safety intranet page. Where there are other significant risks from driving activities or journeys, a specific risk assessment must be conducted.

Where a more detailed risk assessment would be appropriate includes:

- non-routine long distance journeys;
- trips that include driving overseas;
- driving that is expected to take place in severe weather conditions;
- journeys that involve lone working in remote or potentially dangerous areas;



- trips that involve driving types of vehicles that are not normally driven or where the driver may be inexperienced or have a poor accident record;
- the transport of dangerous goods

5.2 Health assessment and new starter checks

The following checks must be carried out for all drivers before they drive for work:

- Completion of a pre-employment medical assessment form.
- Occupational health clearance.
- Completion of the Driver Declaration Form given in **Appendix 1**.

5.3 Periodic checks for current drivers

All managers must check on an annual basis their drivers' driving licences and where applicable vehicle insurance and registration certificates and MOT certificates, recording the checks on the Annual Vehicle Documentation Inspection form given in **Appendix 2**.

Drivers of Trust vehicles driven on public roads are required to complete the daily record checks prior to the first journey of the day given in **Appendix 3**. Record sheets must be dated, signed and retained and made available for inspection on a monthly basis by the Transport department.

Drivers of private vehicles on public roads are not required to complete the daily record checks although it is recommended.

Drivers of all other Trust vehicles driven on Trust premises such as patient buggies are required to complete the daily record checks prior to the first journey of the day given in **Appendix 4**.

All drivers must complete the Driver Declaration Form given in **Appendix 1** annually to ensure their fitness to drive. Issues highlighted may result in a referral to the Trust's Occupational Health Service.

5.4 Medical conditions and fitness to drive

Drivers must notify their manager of any medical condition likely to affect their ability to drive safely. Managers must:

- obtain as much relevant information as possible, including why their driving may be affected
- get advice from Human Resources if the proposed action is likely to have a significant effect on the individual's employment



- take them off driving duties until further clarification can be obtained
- refer them to the Trust's Occupational Health Service to:
 - confirm their condition and whether it stops them from driving
 - advise whether the condition is permanent
 - advise on the suitability of temporary or permanent redeployment
 - advise on reasonable adjustments

All drivers have a legal duty to satisfy the eyesight requirements in the Highway Code.

5.5 Convictions and disqualifications

Drivers must notify their manager of any convictions (including penalty points) or periods of disqualification immediately. Managers must:

- get advice from Human Resources if the proposed action is likely to have a significant effect on the individual's employment
- take them off driving duties until further clarification can be obtained

5.6 Substances misuse

Drivers must not drive while under the influence of alcohol or using illegal drugs.

Managers who suspect the influence of substance misuse must:

- get advice from Human Resources if the proposed action is likely to have a significant effect on the individual's employment
- take them off driving duties until further clarification can be obtained
- refer them to the Trust's Occupational Health Service

5.7 Smoking

The Trust has a No Smoking Policy. This means smoking is prohibited in:

- all Trust owned vehicles
- any other vehicle provided by the Trust in connection with work
- any drivers of privately owned or leased vehicle if it's being used on Trust business

5.8 Mobile phones and driving

Drivers may only use a phone in a vehicle when it is parked in a safe place whilst the engine is not running. This means the driver must pull over and stop in a safe place to answer or make a call having turned off the engine.



Drivers may use a hand-free device whilst driving however if the police think you are distracted and not in control of the vehicle could still stop and penalise the driver.

There is an exception to using a mobile phone if your life is in danger and you need to contact emergency services on 999 and to stop would exacerbate the situation.

5.9 Vehicle loading

All vehicles must be loaded safely and securely, and the gross vehicle and axle weights adhered to all times.

Drivers must make themselves aware of the weights that apply to their vehicle, and its appearance when fully loaded. If the vehicle is overloaded, it must have some of the load removed before driving on the road.

Drivers must make sure seat belts are worn and the child seats used when transporting passengers.

5.10 Transporting substances hazardous to health

Managers must check whether items being transported are hazardous and ensure that suitable and sufficient risk assessments are undertaken in line with the SMS for Control of Substances Hazardous to Health (COSHH).

Requirements for transporting substances classified as hazardous may need measures to be put in place and advice may be obtained from the Trust's Health and Safety Team.

5.11 Transporting of confidential material

Confidential material must be transported in packages that are safe, secure and sturdy and must not be overloaded. Bright yellow confidential record stickers must be used and an acknowledgement letter included.

Care must be taken to ensure packing used is fit for purpose and that a full postal address is included on the package together with a named person to receive the package. A return address must be included in case delivery cannot be executed.

5.12 Drivers hours and journey planning

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 employees have sufficient time to drive safely within speed limits.



Drivers are permitted to spend 11 hours working each day, of which not more than ten hours should be spent driving.

5.13 Reporting vehicle accidents

Managers must make sure that drivers know what to do if an accident occurs while driving for work, and they investigate thoroughly any incidents reported to them.

Drivers, who have an accident while carrying out their duties, including travelling to and from work locations on public roads, must inform their line manager and complete an Incident Report Form (IR1) on the DATIX system.

This does not include commuting to work.

6. Managers' Responsibilities

Managers are responsible for implementation of the Health and Safety Policy and this Safety Management Standard in their area of responsibility. This includes:

- identifying all persons who are required to drive for work
- checking that drivers are entitled to drive the vehicle being used, including:
 - valid driving licence
 - fitness to drive (driver declaration form, referral to Occupational Health if required)
 - insurance for business use, and MOT (where applicable to private vehicles)
- ensuring that drivers are provided with appropriate training
- providing drivers with information and supervision as appropriate so that they are able to drive responsibly and safely
- ensuring that vehicles owned or leased by Trust are suitable for the proposed use, and roadworthy

7. Drivers' Duties

Drivers have a duty to co-operate and comply with the Health and Safety Policy and this Safety Management Standard, and to take reasonable care of themselves and others.

In particular all persons who drive on Trust business must:

- if driving a private vehicle, ensure that they have valid insurance for business use, and that the vehicle has valid road tax and MOT certificate where applicable



- ensure that they have a valid licence for the class of vehicle being driven, for the purpose of patient buggies and tandem scooters the Trust require a valid category B drivers licence.
- observe the Highway Code and current driving legislation
- observe the law in relation to alcohol limits, drugs and medical fitness
- confirm that the vehicle is in a safe and legal condition to drive, by undertaking simple pre use safety checks
- inform their manager if they are involved in a driving or traffic related accident whilst driving on Trust business

8. Training

Drivers of vehicles on public roads are required to have a suitable driving licence and therefore are not required to undertake any additional training unless it is considered necessary in relation to the type of work being undertaken *e.g. transporting hazardous substances*.

Drivers of Trust vehicles that are driven on Trust premises such as patient buggies and tugs are provided with training and recorded.

Volunteer records of training are retained within their personal files.

9. Monitoring & Review

Managers will carry out an annual workplace health and safety inspection including compliance of the implementation of this Safety Management Standard.

The Health and Safety Team will carry out auditing and monitoring of compliance with this Safety Management Standard.

10. Further Information

The Health and Safety Executive (HSE) has a range of information on Driving at work, for general information: <http://www.hse.gov.uk/workplacetransport/>.

For information on specific risks, consult one of our other health & safety management standards or use the search function at <http://www.hse.gov.uk/>.

We hope you find this SMS useful; if you require further information please contact one of the health and safety team:



01332 789559 or 789530



dhft.healthandsafety@nhs.net

DRIVER DECLARATION FORM (APPENDIX 1)

This **must** be completed and signed by all employees who drive on Trust business.

PERSONAL DETAILS

Title	
Initials	
Surname	
DOB	
Address	
Date passed UK driving test	

OWN VEHICLE DETAILS IF USED ON TRUST BUSINESS

Status –owned/leased	
Type	
Make	
Model	
Registration number	
Engine capacity	

The use of your vehicle for Trust business is permitted under the following conditions:

- ✓ You have a current, full valid Driving Licence.
- ✓ Using your own vehicle has been approved in advance by your manager.
- ✓ You have a current valid motor vehicle insurance policy as is required by law, including Business Use cover - this must provide cover for all your legal liabilities to third parties and passengers arising out of using your vehicle on Trust business.
- ✓ It's advisable to confirm to your Insurers, in writing, the exact purpose for which you may use your vehicle on business, quoting the estimated annual mileage and giving details of any passengers who might be carried.
- ✓ You or your insurers will bear all losses or damage to the vehicle arising from business use. It must be understood that, under no circumstances, will the Trust accept liability for any of the risks covered by your private motor vehicle insurance, nor any consequential losses, for example, any excess charges and/or loss of No Claims Bonus discount in the event of an accident. This means you will need Comprehensive motor vehicle insurance.
- ✓ You have a valid MOT Certificate as required by law for cars over three years old.
- ✓ The car is taxed and in a roadworthy condition to drive. This means it's serviced in accordance with the manufacturer's recommendations.
- ✓ You must notify your manager immediately if your circumstances change, and any restrictions are imposed upon your ability to drive, either permanently or temporarily. This includes any medical condition likely to affect your ability to drive safely.

DRIVER HISTORY AND EXPERIENCE

Have you:

<ul style="list-style-type: none"> • been convicted of any motoring offence during the last five years or is any prosecution / points pending? 	Yes		No	
<ul style="list-style-type: none"> • ever been disqualified from driving or had a driving licence suspended or revoked? 	Yes		No	
<ul style="list-style-type: none"> • ever had a motor vehicle insurance policy cancelled or refused, or ever had special terms imposed? 	Yes		No	
<ul style="list-style-type: none"> • been involved in any accident / loss, whether to blame or not, with any motor vehicle either owned or driven by you in the last five years? 	Yes		No	

Please give details if the answer to any of these questions is YES

<ul style="list-style-type: none"> • Can you read a vehicle number plate at 20 metres in good daylight? 	Yes		No	
<ul style="list-style-type: none"> • Do you wear your glasses or contact lenses at all times while driving? 	Yes		No	

Please give details if the answer to any of these questions is NO

EMPLOYEE DECLARATION

I confirm that, as far as I am aware, the statements made by me are true and complete.

I have read, understood and accept the terms relating to the use of my vehicle on Trust business, and agree to abide by them.

I confirm that I have produced the original documentation below as I drive on Trust business:

Driving licence - paper version and photo card where applicable

I confirm that I have produced the original documentation below as I drive my own vehicle on Trust business:

Insurance schedule Vehicle Registration Document

MOT Certificate

The details provided on this form will only be used for the stated purpose and not shared with other organisations without your knowledge.

Employee name: _____ Department: _____

Employee signature: _____ Date: _____

MANAGER'S AUTHORISATION

I confirm the employee drives on Trust business. I also confirm the employee will be using their own vehicle for business purposes - *delete this sentence if it doesn't apply.*

I certify that I have checked, where applicable, the required documentation above.

Manager (name): _____ Date: _____

Manager's signature: _____

Please keep the signed form in your employee's personal file

TRUST VEHICLE CHECK SHEET (APPENDIX 3)

VEHICLE REGISTRATION NUMBER:		
DAY:	DATE:	
Start Mileage:	End mileage:	Total Miles:

To be completed before you take the vehicle out. It is your responsibility to ensure the vehicle checks have been carried out and this check sheet has been completed

INITIAL EVERY ITEM AS CHECKED AND SIGN AT FOOT OF PAGE

Item	Initial	Any comments
OIL LEVEL		
WATER		
BATTERY		
WINDSCREEN WASH		
FUEL (circle how much fuel in tank)		Start ¼ ½ ¾ 1 Finish ¼ ½ ¾ 1
LIGHTS WORKING		
LIGHTS CLEAN		
WIPERS WORKING		
WASHERS WORKING		
CLEAN WINDSCREEN		
CLEAN MIRRORS		
HORN		
INDICATORS		
HANDBRAKE		
FOOTBRAKE		
BRAKE LIGHTS		
TYRE PRESSURE		
TYRE CONDITION		
CLEAN NUMBER PLATE		
CLEAN REFLECTIVE SIGNS		

EXTERIOR WASHED YES /NO

INTERIOR VACCUMED & POLISHED YES/NO

Any other comments on the vehicle:
Declaration: I, the driver of this vehicle have carried out all the safety checks listed and made any notes and contacted my line manager of any problems that may affect me driving the vehicle.
DRIVER'S NAME (print): _____ TIME: _____
DRIVER'S SIGNATURE: _____

