# Driving at work

*Managing work-related road safety*

Department for Transport

HSE

THINK Road Safety

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# INTRODUCTION

It has been estimated that up to a third of all road traffic accidents involve somebody who is at work at the time. This may account for over 20 fatalities and 250 serious injuries every week. Some employers believe, incorrectly, that provided they comply with certain road traffic law requirements, eg company vehicles have a valid MOT certificate, and that drivers hold a valid licence, this is enough to ensure the safety of their employees, and others, when they are on the road. However, health and safety law applies to on-the-road work activities as to all work activities, and the risks should be effectively managed within a health and safety management system.

This guidance applies to any employer, manager or supervisor with staff who drive, or ride a motorcycle or bicycle at work, and in particularly those with responsibility for fleet management. It also applies to self-employed people. Employees and trade union appointed safety representatives will also find it helpful. It covers people whose main job is driving, and those who drive or ride occasionally or for short distances. References to drivers and driving include riders and riding.

The leaflet suggests ways to manage the risk to drivers' health and safety. Companies with large goods vehicles (LGV) or passenger service vehicles (PSV) may also be subject to specific legislative requirements that take precedence over the general advice given here.

Many incidents happen due to inattention and distraction as well as failure to observe the Highway Code.[1] You need to consider what steps you should take to ensure that your employees use the road as safely as possible.

Practical advice on managing work-related road safety can be found in the publications listed at the back of this guidance.

## YOUR LEGAL RESPONSIBILITIES

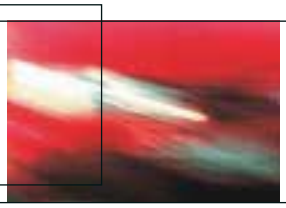
This leaflet deals with the requirements of health and safety law. These requirements are in addition to the duties you have as an employer under road traffic law, eg the Road Traffic Act and Road Vehicle (Construction and Use) Regulations, which are administered by the police and other agencies such as the Vehicle and Operator Services Agency.

The Health and Safety at Work etc Act 1974[2] requires you to ensure, so far as is reasonably practicable, the health and safety of all employees while at work. You also have a responsibility to ensure that others are not put at risk by your work-related driving activities. (Self-employed people have a similar responsibility to that of employers.)

Under the Management of Health and Safety at Work Regulations 1999,[3] you have a responsibility to manage health and safety effectively. You need to carry out an assessment of the risks to the health and safety of your employees, while they are at work, and to other people who may be affected by their work activities. The Regulations require you to periodically review your risk assessment so that it remains appropriate.

You are required to consult with your employees, and where applicable, their health and safety representatives, on the health and safety issues covered in this guidance.

Health and safety law does not apply to commuting, unless the employee is travelling from their home to a location which is not their usual place of work.



## BENEFITS OF MANAGING WORK-RELATED ROAD SAFETY

The true costs of accidents to organisations are nearly always higher than just the costs of repairs and insurance claims. The consequences of an accident on the self-employed and small businesses are likely to be proportionately greater than on a larger business with greater resources. The benefits to you from managing work-related road safety can be considerable, no matter the size of your business.

- It allows you to exercise better control over costs, such as wear and tear and fuel, insurance premiums and legal fees and claims from employees and third parties.
- It also allows you to make informed decisions about matters such as driver training and vehicle purchase, and helps you identify where health and safety improvements can be made.
- Case studies and research have shown that benefits from managing work-related road safety and reducing crashes include:
  - fewer days lost due to injury;
  - reduced risk of work-related ill health;
  - reduced stress and improved morale;
  - less need for investigation and paperwork;
  - less lost time due to work rescheduling;
  - fewer vehicles off the road for repair;
  - reduced running costs through better driving standards;
  - fewer missed orders and business opportunities so reduced risk of losing the goodwill of customers;

- less chance of key employees being banned from driving, eg as a result of points on their licences.

Promoting sound health and safety driving practices and a good safety culture at work may well spill over into private driving, which could reduce the chances of staff being injured in a crash outside work.

# HOW TO MANAGE WORK-RELATED ROAD SAFETY

Work-related road safety can only be effectively managed if it is integrated into your arrangements for managing health and safety at work. You should look at your health and safety systems and consider whether they adequately cover this area of work. The main areas you need to address are, policy, responsibility, organisation, systems and monitoring.

## Policy

Does your health and safety policy statement cover work-related road safety? Your policy should be written down if you employ five or more people.

> **Example:** A small firm with four cars and two vans set down its policy and addressed issues which it considered significant to their particular circumstances. These included management duties, journey organisation, driver training and vehicle maintenance.

## Responsibility

Is there top-level commitment to work-related road safety in your organisation and is responsibility clearly defined? Does the person who is responsible for it have sufficient authority to exert influence and does everyone understand what is expected of them?

## Organisation and structure

In larger organisations, your aim is to ensure that you have an integrated organisational structure that allows cooperation across departments with different responsibilities for work-

related road safety. In smaller businesses, your aim is to ensure you consider the links between driving activities.

**Example:** A council brought together expertise from its training, occupational health and safety and fleet management sections to develop and implement a work-related road safety policy.



## Systems

Do you have adequate systems to allow you to manage work-related road safety effectively? For example, are you confident that your vehicles are regularly inspected and serviced in accordance with manufacturers' recommendations?

## Monitoring

Do you monitor performance to ensure that your work-related road safety policy is effective? Are your employees encouraged to report all work-related road incidents without fear that punitive action will be taken against them? Do you collect sufficient information to allow you to make informed decisions about the effectiveness of existing policy and the need for changes?

**Example:** A company, with 330 people driving on business, quantified employee driving in terms of distance and time. The results revealed that there were 70 people significantly exposed to risk and they were targeted first.

## ASSESSING RISKS ON THE ROAD

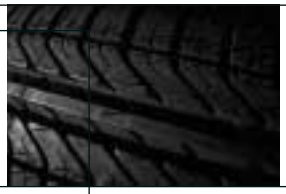
Risk assessments for any work-related driving activity should follow the same principles as risk assessments for any other work activity. You should bear in mind that failure to properly manage work-related road safety is more likely to endanger other people than a failure to properly manage risks in the workplace.

A risk assessment is nothing more than a careful examination of what at work activities can cause harm to people. It helps you to weigh up whether you have done enough to ensure safe working practices or should do more to prevent harm. Your risk assessment should be appropriate to the circumstances of your organisation and does not have to be over complex or technical. It should be carried out by a competent person with a practical knowledge of the work activities being assessed. For most small businesses, and the self-employed, the hazards will be easy to identify. Employers who employ less than five people do not have to record their findings, but they may find it helpful to make some notes.

The aim is to make the risk of someone being injured or killed, as low as possible. See *Five steps to risk assessment*[4] for more information.

**Hazard** means anything that can cause harm.

**Risk** is the chance, high or low, that someone will be harmed by the hazard.



## Steps to risk assessment

Step 1 - Look for hazards that may result in harm when driving on public roads. Remember to ask your employees, or their representatives, what they think as they will have first hand experience of what happens in practice. You need the views of those who drive extensively, but also get the views of those who only use the roads occasionally. The range of hazards will be wide and the main areas to think about are the driver, the vehicle and the journey. See 'Evaluating the risks' for some suggestions.

Step 2 - Decide who might be harmed. In almost all cases this will be the driver, but it might also include passengers, other road users and/or pedestrians. You should also consider whether there are any groups who may be particularly at risk, such as young or newly qualified drivers and those driving long distances.

Step 3 - Evaluate the risk and decide whether existing precautions are adequate or more should be done. You need to consider how likely it is that each hazard will cause harm. This will determine whether or not you need to do more to reduce the risk. It is likely that some risks will remain even after all precautions are taken. What you have to decide for each significant hazard is whether the remaining risk is acceptable. More detailed advice on evaluating the risks in each of the topic areas mentioned under Step 1 is given in the next section of this guidance.

Ask yourself whether you can eliminate the hazard, eg hold a telephone or videoconference instead of making people travel to a meeting. If not, you should think about how to control the risk, to reduce the possibility of harm, applying the principles set out below. These should be considered in the following order, if possible:

- Consider whether your policy on the allocation of company cars actively encourages employees to drive rather than consider alternative means of transport.
- Consider an alternative to driving, eg going at least part of the way by train.
- Try to avoid situations where employees feel under pressure, eg avoid making unrealistic claims about delivery schedules and attendance which may encourage drivers to drive too fast for the conditions, or exceed speed limits.

- Organise maintenance work to reduce the risk of vehicle failure, eg ensure that maintenance schedules are in place and that vehicles are regularly checked by a competent person to ensure they are safe.
- Ensure that drivers and passengers are adequately protected in the event of an incident, eg ensure that seatbelts, and where installed airbags, are correctly fitted, work properly and are used. For those who ride motorcycles and other two-wheeled vehicles, crash helmets and protective clothing should be of the appropriate standard.
- Ensure that company policy covers the important aspects of the Highway Code,[1] such as not exceeding speed limits.

Step 4 - Record your findings. Employers with five or more employees are required to record the significant findings of their risk assessment. If you have fewer than five employees you do not have to write anything down, though it is useful to keep a written record. You must also tell your employees about what you have done. Your risk assessment must be suitable and sufficient. You need to be able to show that:

- a proper check was made;
- you consulted those who might be affected;
- you dealt with all the obvious hazards.

Step 5 - Review your assessment and revise it if necessary. You will need to monitor and review your assessment to ensure that the risks to those who drive, and others, are suitably controlled. For this to be effective you need to have a system for gathering, recording and analysing information about road incidents. You should also record details of driver and vehicle history.

You may also need to review your assessment to take account of changing circumstances, eg the introduction of new routes, new equipment or a change in vehicle specification. Such a review should seek the views of employees and safety repesentatives where appointed.

It is good practice to review your assessment from time to time to ensure that precautions are still controlling the risks effectively.

# EVALUATING THE RISKS

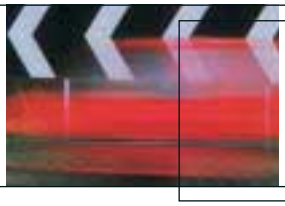
Working through this section will help you evaluate whether you are managing work-related road safety effectively. These considerations are not exhaustive and you may be able to think of others.

## The driver

### *Competency*

*Are you satisfied that your drivers are competent and capable of doing their work in a way that is safe for them and other people?*

- Does the employee have relevant previous experience?
- Does the job require anything more than a current driving licence, valid for the type of vehicle to be driven?
- Do your recruitment procedures include appropriate pre-appointment checks, eg do you always take up references?
- Do you check the validity of the driving licence on recruitment and periodically thereafter?
- Do you specifically check the validity of any LGV/PSV driving entitlements as part of your recruitment procedures and periodically thereafter? Such entitlements may not have been restored after a period of disqualification.
- Are your at-work drivers aware of company policy on work-related road safety, and do they understand what is expected of them?
- Should your policy document be supplemented with written instructions and guidance and/or training sessions or group meetings?



- Have you specified what standards of skill and expertise are required for the circumstances of the particular job?
- How do you ensure that these standards are met?

**Example:** A firm with 17 drivers produced a handbook on road safety topics including maintenance and driver tiredness, which was introduced at a training session.

### *Training*

*Are you satisfied that your drivers are properly trained?*

- Do you evaluate whether those that drive at work require additional training to carry out their duties safely?
- Do you provide induction training for drivers?
- Do you arrange for drivers to be trained giving priority to those at highest risk, eg those with high annual mileage, poor accident records, or young drivers?
- Do drivers need to know how to carry out routine safety checks such as those on lights, tyres and wheel fixings?
- Do drivers know how to correctly adjust safety equipment, eg seat belts and head restraints?
- Do drivers know how to use anti-lock brakes (ABS) properly?
- Do drivers know how to check washer fluid levels before starting a journey?
- Do drivers know how to ensure safe load distribution, eg when undertaking multi-drop operations?
- Do drivers know what actions to take to ensure their own safety following the breakdown of their vehicle?
- Do you need to provide a handbook for drivers giving advice and information on road safety?
- Are drivers aware of the dangers of fatigue?
- Do they know what they should do if they start to feel sleepy?
- Are drivers fully aware of the height of their vehicle, both laden and empty? There are estimated to be around three to six major bridge strikes every day.

- Has money been budgeted for training? To be effective training needs should be periodically assessed, including the requirement for refresher training.

> **Example:** A high tech company with a large fleet of company cars trained all drivers who exceeded 2000 miles per year. Training requirements were determined by an attitudinal questionnaire and on the road assessment.



### *Fitness and health*

*Are you satisfied that your drivers are sufficiently fit and healthy to drive safely and not put themselves or others at risk?*

- Do drivers of heavy lorries, for which there are legal requirements for medical examination, have the appropriate medical certificate?
- Although there is no legal requirement, should those at-work drivers who are most at risk, also undergo regular medicals?
- Should staff that drive at work be reminded that they must be able satisfy the eyesight requirements set out in the Highway Code[1]?
- Have you told staff that they should not drive, or undertake other duties, while taking a course of medicine that might impair their judgement? In cases of doubt they should seek the view of their GP.

## The vehicle

### *Suitability*

*Are you satisfied that vehicles are fit for the purpose for which they are used?*

- Do you investigate which vehicles are best for driving and public health and safety when purchasing new or replacement vehicles?
- Is your fleet suitable for the job in hand? Have you thought about supplementing or replacing it, with leased or hire vehicles?
- Do you ensure that privately owned vehicles are not used for work purposes unless they are insured for business use and, where the vehicle is over three years old, they have a valid MOT certificate?

### *Condition*

*Are you satisfied that vehicles are maintained in a safe and fit condition?*

- Do you have adequate maintenance arrangements in place?
- How do you ensure maintenance and repairs are carried out to an acceptable standard?
- Is planned/preventative maintenance carried out in accordance with manufacturers' recommendations? Remember an MOT certificate only checks for basic defects and does not guarantee the safety of a vehicle.
- Do your drivers know how to carry out basic safety checks?
- How do you ensure that vehicles do not exceed maximum load weight?
- Can goods and equipment which are to be carried in a vehicle be properly secured, eg loose tools and sample products can distract the driver's attention if allowed to move around freely?
- Are windscreen wipers inspected regularly and replaced as necessary?

Example: A utility company required staff to carry out pre-use checks (tyres, windows, lights) and further periodic checks (bulbs, wiper blades, water jets).

### *Safety equipment*

*Are you satisfied that safety equipment is properly fitted and maintained?*

- Is safety equipment appropriate and in good working order?
- Are seatbelts and head restraints fitted correctly and do they function properly?

### *Safety critical information*

*Are you satisfied that drivers have access to information that will help them reduce risks?*

- Have you thought of ways that information can be made readily available to drivers? Eg:
  - recommended tyre pressures;
  - how to adjust headlamp beam to compensate for load weight;
  - how to adjust head restraints to compensate for the effects of whiplash (see *The whiplash book. How you can deal with a whiplash injury*[5]);

- the action drivers should take where they consider their vehicle is unsafe and who they should contact.

### *Ergonomic considerations*

*Are you satisfied that drivers' health, and possibly safety, is not being put at risk, eg from inappropriate seating position or driving posture?*[6]

- Do you take account of ergonomic considerations before purchasing or leasing new vehicles?
- Do you provide drivers with guidance on good posture and, where appropriate, on how to set their seat correctly?

## The journey

### *Routes*

*Do you plan routes thoroughly?*

- Could you use safer routes which are more appropriate for the type of vehicle undertaking the journey? Motorways are the safest roads and although minor roads may be fine for cars, they are less safe and could present difficulties for larger vehicles.
- Does your route planning take sufficient account of overhead restrictions eg bridges and tunnels and other hazards, such as level crossings, which may present dangers for long vehicles?

### *Scheduling*

*Are work schedules realistic?*

- Do you take sufficient account of periods when drivers are most likely to feel sleepy when planning work schedules? Sleep-related accidents are most likely to occur between 2 am and 6 am and between 2 pm and 4 pm.
- Have you taken steps to stop employees from driving if they feel sleepy even if this might upset delivery schedules?
- Where appropriate, do you regularly check tachographs to ensure drivers are not cutting corners and putting themselves and others at risk?

- Do you try to avoid periods of peak traffic flow?
- Do you make sufficient allowances for new trainee drivers?

### *Time*

*Are you satisfied that sufficient time is allowed to complete journeys safely?*

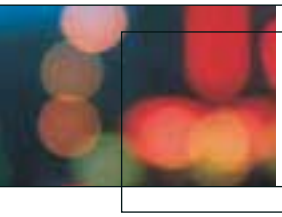
- Are your schedules realistic? Do journey times take account of road types and condition, and allow for rest breaks? Would you expect a non-vocational driver to drive and work for longer than a professional driver? The Highway Code[1] recommends that drivers should take a 15 minute break every two hours. Professional drivers must of course comply with drivers' hours rules.
- Does company policy put drivers under pressure and encourage them to take unnecessary risks, eg to exceed safe speeds because of agreed arrival times?
- Can drivers make an overnight stay, rather than having to complete a long road journey at the end of the working day?
- Have you considered advising staff that work irregular hours of the dangers of driving home from work when they are excessively tired? In such circumstances they may wish to consider an alternative, such as a taxi?

Example: A telecommunications firm put a duty on line managers to examine employee work schedules and journey patterns following police prosecution of one of their drivers for speeding.

### *Distance*

*Are you satisfied that drivers will not be put at risk from fatigue caused by driving excessive distances without appropriate breaks?*

- Can you eliminate long road journeys or reduce them by combining with other methods of transport? For example, it may be possible to move goods in bulk by train and then arrange for local distribution by van or lorry.
- Do you plan journeys so that they are not so long as to contribute to fatigue?



- What criteria do you use to ensure that employees are not being asked to work an exceptionally long day? Remember that sometimes people will be starting a journey from home.

Example: A sales company placed an upper limit on daily mileage for car drivers but encouraged alternative means of travel.

### *Weather conditions*

*Are you satisfied that sufficient consideration is given to adverse weather conditions, such as snow or high winds, when planning journeys?*

- Can your journey times and routes be rescheduled to take account of adverse weather conditions?
- Where this is possible is it done?
- Are you satisfied that vehicles are properly equipped to operate in poor weather conditions, eg are anti-lock brakes fitted?
- Are you content that drivers understand the action they should take to reduce risk, eg do drivers of high-sided vehicles know that they should take extra care if driving in strong winds with a light load?
- Are you satisfied that drivers do not feel pressurised to complete journeys where weather conditions are exceptionally difficult?

Example: A food company operating LGVs, and company cars held training sessions on the risks of winter driving and the relevant precautions.

## REFERENCES AND FURTHER INFORMATION

1 *The Highway Code*

The Stationery Office 2001 ISBN 0 11 552290 5

Can also be viewed on www.highwaycode.gov.uk

2 *Health and Safety at Work etc Act 1974* Ch37

The Stationery Office 1974 ISBN 0 10 543774 3

3 *The Management of Health and Safety at Work Regulations 1999* SI 1999/3242

The Stationery Office ISBN 0 11 085625 2

4 *Five steps to risk assessment* Leaflet INDG163(rev1)

HSE Books 1998 (single copy free or priced packs of 10 ISBN 0 7176 1565 0)

5 *The whiplash book – how you can deal with a whiplash injury*

The Stationery Office 2002 ISBN 0 11 702862 2

6 *Initiative evaluation report: Back in work* CRR441

HSE Books 2002 ISBN 0 7176 2377 7

Available to view online at www.hse.gov.uk/science/index.htm

## Further information

*Managing road risk. An introductory guide for employers* Available from Brake Tel: 01484 559909 e-mail: brake@brake.org.uk or fleetsafetyforum@brake.org.uk

*Managing occupational road risk* Royal Society for the Prevention of Accidents available from Edgbaston Park, 353 Bristol Road, Birmingham B5 7ST Tel: 0121 248 2000

Drivers' hours and tachographs rules for goods vehicles in the UK and Europe - see www.dft.gov.uk/stellent/groups/dft_freight/documents/page/dft_freight_504543.hcsp

Drivers' hours and tachograph rules for road passenger vehicles in the UK and Europe - see www.dft.gov.uk/stellent/groups/dft_rdsafety/documents/page/dft_rdsafety_504544.hcsp

*Code of Practice. Safety of loads on vehicle*s Third edition The Stationery Office 2002 ISBN 0 11 552547 5 available online at www.dft.gov.uk/stellent/groups/dft_roads/documents/page/dft_roads_506864.pdf

*Safe working of vehicle breakdown and recovery operators management system specification* PAS 43 Available from the Association of Vehicle Recovery Operators Ltd at www.avrouk.com Tel: 01788 572 850

*Management of Occupational Road Risk* Available from Croner CCH Group Ltd, 145 London Road, Kingston upon Tames, Surrey KT2 6SR or: www.croner.cch.co.uk. Telephone 020 8547 3333

*Management of work related road safety* RR018 HSE Books 2002 ISBN 0 7176 2549 4 Case studies can be viewed on www.hse.gov.uk/roadsafety/experience.htm.

*Successful health and safety management* HSG65 (Second edition) HSE Books 1997 ISBN 0 7176 1276 7

For specific information about driving at work and road safety, visit the Department for Transport (DfT) website: www.dft.gov.uk/roadsafety and www.thinkroadsafety.gov.uk

For information on risk management for business, visit www.racbusiness.co.uk/risk_management.do

For information on driver training and testing, visit the Driving Standards agency website: www.dsa.gov.uk

For information about vehicle testing, visit the Vehicle Inspectorate website: www.via.gov.uk/vehicle_testing/index.htm

For information about the regulation of operators of LGV and PSV, visit the Vehicle and Operator Services Agency website: www.vosa.gov.uk/vosa/

Road Haulage Association website: www.rha.net/index.shtml.

Occupational Road Safety Alliance website: www.orsa.org.uk

Local Authority Road Safety Officers Association website: www.larsoa.org

Freight Transport Association website: www.fta.co.uk

For information about reporting,investigation and recording of accidents involving company vehicles visit www.dft.gov.uk/stellent/groups/dft_rdsafety/documents/page/dft_rdsafety_508358.hcsp

The inclusion of the above sources of information does not mean that they are approved by HSE or that they necessarily represent HSE policy.

## Employers' responsibility for work-related road safety and HSC's enforcement policy

Health and safety law requires employers and the self-employed to ensure so far as reasonably practicable the health, safety and welfare of all employees and to safeguard others who may be put at risk from their work activities. This includes when they are undertaking work-related driving activities.

HSC's enforcement policy statement recognises the need to prioritise investigation and enforcement action. Current priorities, as set out in HSC's Strategic plan, do not include work-related road safety.

The police will, in most cases, continue to take the lead on the investigation of road traffic incidents on the public highway. Enforcement action by HSE will usually be confined to incidents where the police identify that serious management failures have been a significant contributory factor in the incident.

# Further information

HSE priced and free publications are available by mail order from HSE Books,
PO Box 1999, Sudbury, Suffolk CO10 2WA
Tel: 01787 881165 Fax: 01787 313995 Website: www.hsebooks.co.uk
(HSE priced publications are also available from bookshops and free leaflets can be downloaded from HSE's website: www.hse.gov.uk.)

For information about health and safety ring HSE's Infoline
Tel: 08701 545500 Fax: 02920 859260 e-mail: hseinformationservices@natbrit.com
or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG.

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

This leaflet is available in priced packs of 4 from HSE Books, ISBN 0 7176 2740 3.
Single free copies are also available from HSE Books.

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