

# **Management of Occupational Road Risk Policy**

### **Synopsis**

This policy specifies the roles, responsibilities, actions and processes necessary to ensure that risks faced by members of staff who are carrying out driving activities as part of their work is as low as reasonably practicable, controlled and mitigated.

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### **Approval**

**Approved by:** ... The Policy and Resources Committee....

**Date:** ......Monday 31<sup>st</sup> May 2021......



# Revision Record

Version	Date	Summary of changes from previous version
Draft 1	Oct 2020	New policy document sent to H&S Coordinators for initial consultation.
Draft 2	Nov 2020	Considered by the Health and Safety Committee, following various changes requested by the H&S Coordinators.
Draft 3	Feb 2021	<ul> <li>Considered again by the Health and Safety Committee. This included changes made between the meetings including: <ul> <li>Removal of content relating to minibuses which was not relevant.</li> </ul> </li> <li>Changes to include references to PGR students who drive on University business.</li> <li>Clarification of some aspects of insurance relating to the grey fleet drivers.</li> <li>Correction of some grammatical errors.</li> </ul>
Draft 4	May 2021	Submitted Partnership Consultative and Negotiating Committee for information as agreed at the Health and Safety Committee.
Draft 5	May 2021	Revision record updated but no other significant amendments made before submitted to the Policy and Resources Committee for approval.
Draft 6	June 2021	Following comments from SMT minor amendments were made to clarify the content of Section 9 and the Accident Reporting flow chart.



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## **Standard Terms**

Throughout this document standard terms have been used. The terms and their definitions are set out below:

Term	Definition
Contractor	Individual, company or organisation engaged by the University (other than an employee) to carry out work for gain or reward.
Driving at Work	Refers to any work carried out on University business that involves the employee (including undergraduate and Postgraduate students where appropriate), driving a vehicle and covers all journeys other than to and from their normal place of work
Grey Fleet	Vehicle/vehicles privately owned/rented/hired and driven by University employees for University business purposes, sometimes in return for fuel expenses.
Hazard	An unsafe act or an unsafe condition; anything that has the potential to cause harm, including death, ill health, injury, damage to property, process, or the environment.
Minibus	A motor vehicle that can carry 9 – 16 passengers plus the driver.
Private Vehicle	Any vehicle used by a person driving on University business, which is not owned, leased, or hired by the University.
Risk	The likelihood of a hazard causing harm to a person or damage to property.
Risk assessment	An assessment of the likelihood of hazards occurring in the workplace, the scale of harm or damage likely as a result, and the likely consequences of such harm or damage occurring.
Section 19 permit	A 'standard permit' for vehicles which are adapted to carry no more than 16 passengers (excluding the driver), granted to organisations that operate vehicles without a view to profit to transport their members, or people whom the organisation exists to help. Section 19 permit vehicles can't be used to carry members of the general public. Applications for a Section 19 permit can be made to DVSA, Leeds Central Licensing Office, a designated body or Local Authority. A permit isn't specific to one vehicle, so the holder of the permit can transfer it between different vehicles. A permit can only be used on one vehicle at a time. An organisation can hold more than one permit.



So far as reasonably practicable Balancing the level of risk against the measures needed to

control the real risk in terms of money, time, or trouble. However, you do not need to take any action if it would be

grossly disproportionate to the level of risk.

University Driver All University employee (including undergraduate and

Postgraduate students where appropriate), agency workers

or contracted persons, who are authorised to drive University Vehicles (see below) under the University's insurance policy while carrying out their duties for the University. They must have completed the Drivers

Declaration Form obtained from the University's insurance department. It is the responsibility of the University driver to ensure the Driver Declaration Form is

completed annually.

University Vehicle Any vehicle owned, leased, or hired by the University.

Unsafe Act A human act or omission with the potential to cause death,

injury, ill health, damage to property, process, or the

environment.

Unsafe Condition An environmental or physical condition with the potential to

cause death, injury, ill health, damage to property, process,

or the environment.



### 1.0 Introduction

The University of Aberdeen is committed to establishing, maintaining, and promoting high standards of the management of health and safety to minimise to as low as is reasonably practicable, the risks to employees and others, arising from the use of motor vehicles. According to the Department for Transport (DfT), more than a quarter of all road traffic incidents may involve somebody who is authorised to drive as part of their work at the time.

## 2.0 Purpose of the Policy

The University of Aberdeen recognises that the operation of its motor fleet of commercial, hired vehicles and cars, together with the necessity to use private vehicles for business journeys, poses a risk to employees, members of the public and to the University itself. Travelling by road poses a risk of injury and/or material loss and, in more severe cases, death. Therefore, it is vital that predictable risks are suitably controlled to reduce as low as reasonably practicable, the chances of injury and damage occurring.

The purpose of this Policy is to help clarify the responsibilities of the University and University drivers and provide guidance for them in discharging their respective duties. The aim of this policy is to raise awareness of occupational road risks within The University of Aberdeen and to reduce the associated risks to employees, Honorary members of staff, Students, the public, and the University to an acceptable level. Whilst this Policy highlights the relevant part of the Law, it is not a substitute for it. It is the responsibility of the University to ensure that all its legal requirements are carried out. An infringement of any driving related legal regulations may result in an endorsement or disqualification of a Driver's licence with possible loss of employment and/or disciplinary action being taken against the Driver. This Policy covers the use of University owned, leased or hired vehicles, including pool cars, and also the use of private vehicles when being used for University work purposes, whether mileage payments are claimed or not.

Approximately 30% of all fatal road crashes involve people who are at work. Not managing Occupational Road Risk well can have several effects on the University, including:

- Loss of employees, absenteeism because of injuries
- Less productivity
- Loss of, or damage to, vehicles and other property
- Increased insurance costs, e.g. vehicle repairs and replacements
- Compensation claims and motor insurance premiums
- Action by the enforcing authorities, e.g. the HSE or the Police

This Policy reinforces and introduces features specific to driving whilst at work, such as:

- Driving-related risk assessments
- Verification of legal entitlement to drive
- Assessing suitability of vehicles used at work
- Checking of key documents
- Use of mobile phones and communication radios
- Safe and fuel-efficient driving
- Improving the efficiency of services that are reliant on fleet for delivery
- Repudiating false allegations and claims against Drivers

These features are designed with the safety of Drivers, passengers and other road users in mind and to make sure that managers and Drivers remain aware of key issues.



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The Policy will be reviewed in 3 years, following implementation, and thereafter in the light of operational experience or changes to legislation.

## 3.0 Scope of Policy

This Policy applies to all University employees (including undergraduate and Postgraduate students where appropriate), who are authorised to drive while carrying out their duties for the University.

This Policy aims to support the University's workforce, its Managers and Supervisors, and Drivers in delivering high standards of safety, reducing risks associated with driving at work activities. It applies to the following categories of vehicles:

- Owned. Fleet and Hired/Leased Vehicles
- Demonstration Vehicles
- Pool Cars
- Grev Fleet Usage

This Policy may be supported at a local level by:

- Driving Risk Assessment
- Risk Management Policies
- Relevant Health and Safety Policies
- Relevant Terms and Conditions of Employment of Employees
- The Management of Health and Safety Regulations 1999
- Data Protection Policy
- Disciplinary Policy and Procedure
- Training Matrix
- Minibus Guidance
- Guidance on the Use of Private Vehicles for University Purposes
- Individual Driver Risk Assessment
- Guidance on Managing Drivers and Driving checks
- Mobile phone Policy
- Drugs, Alcohol and Smoking Policy

This Policy applies to all employees, and Students who are authorised to drive for the University for work purposes. It includes the use of vehicles when being used for University work purposes, whether mileage payments are claimed or not (Grey Fleet). The University has a duty of care to all those who need to travel while on duty. Driving from home to the place of work is deemed to be commuting and is not covered by this Policy. However, the Policy covers travelling direct to work from home when in a University vehicle, including travel to work.

## 4.0 Organisational Responsibilities

In recognition of University of Aberdeen's legal and moral obligations for ensuring Driver safety, the University actively seeks to take all reasonably practical measures to ensure safe system of work are provided to those undertaking driving activities as part of their employment. The University, as an extension to this obligation, aims to provide a systematic and planned approach to road safety through a process of continuous improvement with the overall objective of achieving the highest standards of occupational road safety. In discharging these duties, the University will ensure that:



- There is verification of Legal Entitlement to Drive including a check on any penalty points.
- Work related driving activities are risk assessed with the objectives of reducing road traffic accidents to the lowest level so far as reasonably practicable.
- Fleet vehicles used for University business are appropriately maintained and fit for purpose, while ensuring that their MOT and Tax are in date. This will be done by the School/Department responsible for the vehicle.
- Arrangements are put in place to ensure the reporting, recording, and investigating of all accidents and incidents from work related driving.
- Adequate arrangements are in place to identify and implement remedial actions following road traffic accidents and
- Arrangements are in place to ensure that all documents supporting this Policy are available to Directors, Heads of schools and Line Managers.

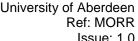
Heads of Schools or Services are responsible for ensuring that:

- Local rules are available for driving at work activities and communicated to all members of that School or Service.
- There is a mechanism in place to ensure that staff and students who are authorised to drive are qualified to drive School or Service owned or leased vehicles.
- There is a system in place to ensure that any School or Service vehicle is maintained in a roadworthy condition and complies with legal requirements.

### 5.0 Qualified and Fit to Drive

University drivers must be competent and capable of doing their work in a way that is safe for them and other people, this includes understanding they are accountable for the vehicles they drive and subsequent actions. University drivers are responsible for:

- Ensuring they have a current driving licence for the vehicle to be driven and business class insurance for any private vehicle used for University business.
- Ensuring that any driving certifications/Licences for example forklift trucks licence (where required) is valid.
- Ensuring that they are qualified for the vehicle they are driving i.e. hold appropriate training certificates or qualifications. This includes all vehicles and machinery which they may be required to drive or operate on or off the university campus and in the UK or overseas, while on University business.
- Ensuring that any load or passengers in the vehicle they are driving are being carried for the purpose of University business only.
- Where appropriate, undertaking Driver evaluation tests.
- Notifying their insurance and Line Manager of any driving conviction, loss of licence, illness or use of medication which may affect their ability to drive safely.
- Reporting any endorsable Fixed Penalty Notices incurred.
- Satisfying the eyesight requirements set out in the Highway Code.
- Complying with Road Traffic Rules and Regulations, including the Highway Code.
- Ensuring that they are medically fit to drive on the public highway, as part of a work-related activity, as per DVLA requirements.
- Ensuring that they are not under the influence of alcohol, drugs or other substances;
   Any driver taking prescription or over the counter medicines must check that they are still fit to drive.
- Notify their Line Manager, if they are advised by DVLA not to drive on medical grounds or if they are disqualified by a court, in order that the employees work requirements can be reviewed and adjusted if necessary.



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- Declare to their Line Manager, if they are suffering from any medical condition or are taking any medications which might adversely affect their ability to drive safely, (e.g. epilepsy, diabetes, visual impairment), in order that the employees work requirements can be reviewed and adjusted if necessary.
- Not using a mobile phone or communication radio whilst driving.
- Maintaining their private vehicle in a roadworthy condition if it is used for work purposes.
- Ensuring on long journeys they take adequate breaks.
- Not continuing with a journey if they feel unwell or too tired to drive safely and informing their line manager of the situation.
- Reporting any accidents or incidents whilst driving on University business on the online accident/near miss reporting form.
- If driving a minibus, display if appropriate a Section 19 minibus permit in the vehicle and that the minibus is not taken outside of the UK.
- Complying with any local School or Service rules and risk assessment requirements for driving at work activities.
- Paying any fines or charges imposed by relevant Enforcement Authorities in respect for offences committed whilst they were driving/responsible for a University vehicle (e.g. speeding fines/parking fines/fines imposed in respect of other Highway Code offences).

All Drivers who drive vehicles on behalf of the University, either their own vehicle or a vehicle owned/hired by University will be expected to drive safely, courteously and conform to all Road Traffic Regulations/other relevant legislation. Compliance with this policy and code of practice is mandatory and applies to all vehicles used by university employees, whether privately owned, university owned or hired by the university for driving on university business.

## 6.0 Training Protocol

Before a new employee whose core duties include driving can start work as a Driver for the University, their suitability to drive must be assessed or their licences checked to ensure they are fit to drive. Drivers will be assessed in the type of vehicle they will be driving for work purposes. To pass the assessment, the Driver will need to demonstrate good awareness of workplace safety and competence in driving the vehicle and any additional machinery/procedures encountered while operating the vehicle. Assessors will provide documented and constructive feedback to the School/Directorate, with any recommendations for further training prior to the Driver commencing work. The Driver declaration form must be completed annually.

For Drivers who currently drive University Vehicles for University work purposes, the suitability to drive assessment is not required, but they must have a valid Driver's Licence and the Driver declaration form must be completed annually.

## 7.0 Driving Private Vehicles

Much of the risk associated with driving on behalf of the University comes from individuals driving their own vehicles, the so called 'Grey Fleet'. Members of staff and students (e.g. for fieldwork) driving their own private vehicle for work purposes are responsible for ensuring that that vehicle is road worthy.



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Simple steps to take to ensure roadworthiness include:

- Possession of a valid Tax and MOT certificate where it is legally required.
- Ensuring that the vehicle is serviced regularly.

Carrying out standard vehicle maintenance checks on a regular basis, e.g. checking tyre pressures, checking engine fluid levels, ensuring windscreen wipers are functional and effective, checking brakes, checking seat belts, POWER (Petrol, Oil, Water, Electrics, Rubber) or POWDERS (Petrol, Oil, Water, Damage, Electrics, Rubber, Steering) checks and a rolling brake test, etc.

Staff must also possess the correct insurance cover. Any journey undertaken for work, however trivial, requires vehicle insurance that covers business use. This is a legal requirement. If in doubt as to whether a journey constitutes business use, staff should consult their insurance company for clarification.

University employees who regularly drive their own vehicle for work should hold a valid driving licence and are required to undertake an Individual Driver Risk Assessments (IDRA) carried out by their Line Manager. Equally, they should be carried out where it has become an accepted management expectation that a member of staff will undertake regular and frequent trips in their own private vehicle.

(Note - IDRA's are not required for staff who simply make a personal choice to drive their own vehicles for work purposes).

Changes to the information required for the IDRA, such as licence endorsements or involvement in a motor vehicle accident must be provided by the staff member to their line manager who should then update the IDRA. To ensure that this takes place, the driving licences of these drivers should be checked on an annual basis. Such drivers should also inform their Line Manager of any change in medical fitness to drive. If there are concerns over medical fitness to drive these individuals should be referred to Occupational Health.

#### 8.0 DRIVING A UNIVERSITY MINIBUS

Driving a minibus is not the same as driving a car. A higher level of competence is required to drive a minibus; it requires different levels of knowledge, skill and awareness, and also carries different legal responsibilities, as:

- The vehicle is larger/heavier (requires greater stopping distances).
- More passengers are taken leading to increased stress on the driver e.g. extra responsibility, noise and distraction.
- Minibuses tend to be used for long distances and on an infrequent basis.

This Policy therefore includes the specific additional requirements of staff driving minibuses on university business.

The legal requirement regarding qualification is that drivers who have obtained their driving licence before January 1, 1997 are licenced to drive a minibus with up to 16 passenger seats. To drive a minibus, drivers are required to gain a Category D1 PCV entitlement on their driving licence if their driving licence was obtained after January 1, 1997. UK law also requires all minibus drivers to be over 21 years of age, to have held a UK car driving licence for 2 years and be licensed to drive vehicles with a D1 classification.

In order to drive a minibus on university business you must send a copy of your Licence to your Line Manager. All staff who do not have a D1 classification on their driving licence must



pass a DVLA Category D test before being permitted to drive minibuses on university business.

If the minibus is being used for teaching and research purposes, then a risk assessment is mandatory. Further information and guidance on risk assessment can be sought form the Health Safety and Wellbeing Team.

The overall responsibility for ensuring that University minibuses are properly maintained and licenced lies with the department responsible for them. University minibuses should be regularly serviced at least annually, with interim preventative maintenance checks being completed every 10 weeks. These services and checks will be carried out by a reputable and suitably qualified person or company.

All departments must comply fully with the above legal requirements regarding driving licence entitlement. Departments are also required to ensure that;

- Any member of staff who is required to drive a minibus as part of their job must undertake appropriate training regardless of when they attained their full driving licence. Training is deemed to be appropriate if the training outlines the skills required to drive a minibus safely and candidates are assessed for competency. Reassessment should take place at least every 4 years and more often if an incident or risk assessment merits it.
- Members of staff with a full driving licence obtained before 1997 who would be required to drive a minibus for work-related purposes would be required to undertake training and a specific risk assessment related to the activity.
- Any member of staff driving a minibus for work-related purpose must be made aware of the training available.

Before driving a University minibus, University drivers must:

- Carry out walk around checks of the vehicle. A check sheet is provided inside the vehicle on the day and time booked to use the minibus. This must be signed, dated and logged with the department responsible for the minibus before each journey.
- Check the Section 19 permit is clearly and visibly displayed in the vehicle.

## 9.0 Driving Abroad

Any employee who drives abroad on University business must ensure that they comply with the laws of that country, carry all appropriate safety equipment and documentation with them and are competent and confident about driving in the country in question.

Drivers need to be aware that there are different legal requirements for driving outside of the UK. Accordingly, if an employee is likely to be driving on university business outside of the UK, specific advice should be sought from the Government (DFT or Foreign Office) website (hyperlink).

Any person who wishes to drive outside of the UK must obtain permission from their Line Manager. It is also recommended that you contact the University insurance Team as there may be additional requirements for the journey in relation to adequate insurance cover.



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### 10.0 Student Drivers

Students are not authorised to drive university owned or hired vehicles. It is understood that some PGR students may be required to drive for University purposes, and they will be classed as employees for the purposes of the policy. In some exceptional cases, undergraduate students who need to drive for University purposes would be required to obtain authorisation/approval to be able to drive from their supervisor who will then ensure that all relevant information is received and documented, checks are completed and required training is provided.

### 11.0 Health Screening

University drivers of University vehicles with driving as part of their core duties are required to undertake health screening carried out by Occupational Health. This entails discussion of the individual's medical history including any medication taken regularly, a simple vision test and a blood pressure test, together with measurement of height and weight. The purpose of this screening is to ensure that drivers of University vehicles meet the driving fitness standards required of all drivers by the DVLA. If an individual fails the vision or blood pressure test, they will be referred to their GP or optician to have the problem addressed. They will not be fit to drive until a follow up screening by OH shows that their fitness is in line with necessary standards.

**NB:** It should be emphasised that there is no intent to permanently remove staff from their role driving at work as any adverse findings should be quickly and easily resolved by referral to the appropriate agency. This screening is solely aimed at ensuring that all authorised drivers are safe to drive in line with recognised health standards

Drivers of University vehicles must declare to their line manager immediately if they are suffering from any medical condition that would legally prevent them from driving on the public highway or if they have any reason to believe they have any other condition that might adversely affect their ability to drive safely. The line manager is responsible for taking action by relieving the person from driving duties as appropriate and contacting the University Insurance Office, Personnel Manager and/or the Occupational Health Service.

## 12.0 Legislative Requirements

In additional to the general day-to-day responsibilities of the University, it is bound by many legislative requirements, in particular those indicated below:

The Health and Safety at Work Act 1974 – requires employers to ensure, so far as is reasonably practicable, the Health and Safety of all employees and others who may be affected by work activities such as driving.

The Management of Health and Safety at Work Act 1999 – imposes a duty on employers to undertake suitable and sufficient assessments of work activities such as driving if there is a reasonably foreseeable risk of injury or ill health.

The Provision of Use of Work Equipment Regulations 1998 – requires employers to provide information, instruction and training to relevant employees on the safe use of equipment such as vehicles. The regulation also requires work equipment such as vehicles and associated equipment to be inspected and maintained to ensure their safe use.



Transport Rules and Regulations – require all Road Transport Rules and Regulations be adhered to and, where offences are committed, appropriate action is taken to ensure, as far as is reasonably practicable, that such offences do not occur in future. This will include, but is not limited to:

- Highway Code
- Road Traffic Act 1989
- Drivers Hours rules

Drivers Hours and Working Time Regulations – the hours a Driver can drive are controlled by Regulations known collectively as the Drivers' Hours Rules. These rules maintain safety standards and deal with maximum driving times, breaks and minimum rest periods. Drivers' Hours Rules apply to both goods and passenger vehicles (This can be found <a href="here">here</a> are two sets of Drivers' Hours Rules which apply in the UK. The 'EU rules' cover Drivers of most goods vehicles over 3,500kg and the 'domestic rules' apply to Drivers of goods vehicles excluded from the EU rules on journeys within the UK. The domestic rules cover most operations within the University.

### 13.0 Insurance and Accident Reporting

### Motor Insurance Policy

The University's motor Policy is on a fully comprehensive basis and the Policy covers loss or damage to and caused by all vehicles owned, operated, leased, loaned to or hired by the University and used in connection with the University's functions and activities by an authorised Driver. Any other use is unauthorised use.

### Managing Vehicle Accidents/Incidents/Near Misses

Where employees who are driving University owned or hired vehicles, are involved in road traffic accidents which result in damage to vehicles, loss or damage to property or injury to persons, they must on no account accept liability for the accident.

A 'Notification of Motor Accident Report' will need to be completed regardless of who was at fault.

### Accident procedure:

- Always stop, as it is an offence to hit and run.
- Keep calm, if required, call the emergency services.
- Only move your vehicle out of the way if it is safe and appropriate to do so. If the emergency services have been called, then await their instruction.
- Switch off your engine and if appropriate activate the hazard warning lights.
- Photograph the scene if possible, including any damage to the vehicle along with registration plate.
- Give your name, and telephone number to any person legitimately requiring this information.
- Take the name, address and telephone number of the other driver(s) of the vehicle(s) involved together with the registration number and make / model of the other vehicle(s), along with the names of insurance companies. Third parties are obliged to comply under section 170 of the Road Traffic Act 1988.
- Take similar details of any witness(s).
- If the other party fails to stop to provide you with their details, then the police should be informed immediately.



• If you witness an accident, or someone tries to flag you down, think before stopping and leaving your vehicle. It may be safer and more practical to use a mobile phone (when safely parked in a safe parking area) or the nearest pay / emergency phone to report what you see.

Guidance/training on Accident Investigations is provided in the University's Guidance/training – Accident / Incident Investigation. Drivers with multiple accidents must be managed appropriately by the Directorate/School to ensure the safety of the Driver, those who may be working with them and members of the public. It should also be recognised that the University cannot sustain multiple damage costs to vehicles or third-party claims.

Drivers and their Directorates/Schools will cooperate in full to allow the Insurance Section to investigate and handle any claims. This may involve providing a witness statement and attending Court as a witness.

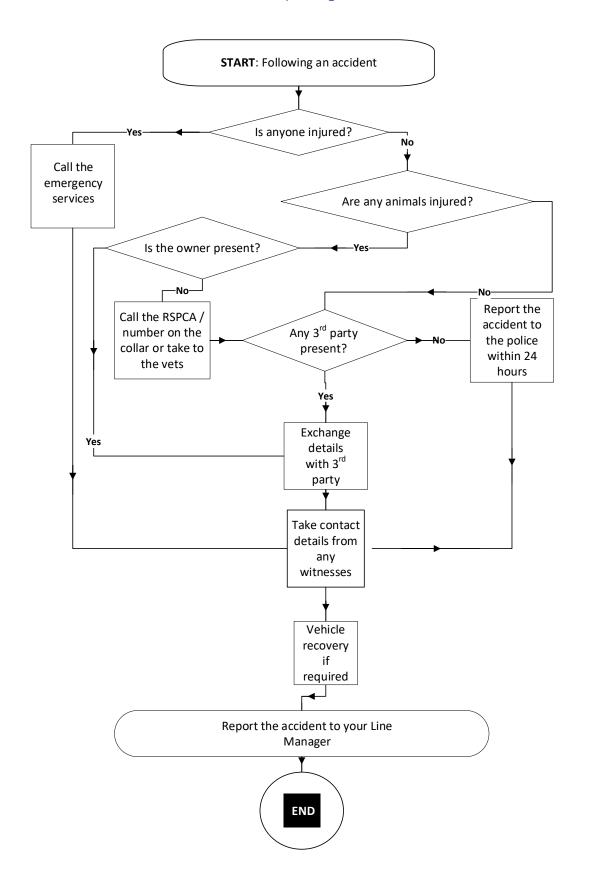
Where an employee is hurt as a result of vehicle related accident, this must be recorded in accordance with the University's Accident Reporting policy. Vehicle accident near misses should also be recorded in accordance with this policy.

### Non-Fault Accidents

The Insurance Section will pursue a claim against the responsible third party or the recovery of damage to the University vehicle.



## **Accident Reporting Process**





## 14.0 Driver Management Guidance

In order to ensure that a consistent approach is adopted when investigating incidents involving University vehicles the following procedure will be used. Where an incident involves any of the issues listed below, the Driver will be removed from driving duties immediately, whilst the incident is investigated by the relevant manager/supervisor:

- Overloading
- Endorsable Road Traffic Offences
- Serious Complaints concerning Driving
- Dangerous Occurrences at Work
- Injury to Driver or Others
- Damage to Property/Plant/Vehicles (other than very minor damage, e.g. broken wing mirror) due to the possible negligence of the driver.

The driver's Line Manager will immediately remove the driver from driving duties on a "without prejudice" basis and:

- Arrange for an incident investigation to be undertaken in accordance with the appropriate procedure, and
- Ensure that a report is prepared and submitted to the Head of School or Director responsible.

Whilst removed from driving duties, pending the investigation and any subsequent meeting to discuss the conclusions of the investigation, the Driver will be given non-driving duties. There will be no detriment to pay during this period. During this period, the Driver will be allocated other duties within their School/Directorate.

The Manager will arrange for a meeting to be convened with the Driver and their representative, if requested, as soon as possible after receipt of the report, in order that the Driver may be informed of the conclusions reached and of any further action to be taken against them as a result of the conclusions.

Any subsequent investigations must be undertaken in accordance with the University's Disciplinary Policy and Procedure.