**FLEET ROAD RISK POLICY**

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**Appendices:**

**A HSG136 - A Guide to Workplace Transport Safety**

**B INDG382 - Driving at Work**

**C Driver Licence Checking – Flowchart**

**Definitions within this Policy**

**Driver –** An employee who carries out driving duties as a part of their role but these duties do not form a substantial part of their job description

**Vocational Driver –** An employee whose driving duties represent a significant portion of their duties. Vocational drivers may also be described as professional drivers and would be employed to drive specialist vehicles necessitating additional licence categories though this need not always the case.

**Voluntary Driver –** A person not employed by the Council who may drive a Council provided vehicle via a formal arrangement between the Council and a Volunteer group whose activities are recognised and supported by the Council.

**Permit 19 Scheme –** Organisations that provide transport on a ‘not-for-profit’ basis can apply for permits under Section 19 of the Transport Act 1985. The permits allow the holder to operate transport services for hire or reward without the need for a full public service vehicle (PSV) operator’s licence.

**Traffic Commissioner -** Traffic Commissioners are responsible for the licensing and regulation of those who operate heavy goods vehicles, buses and coaches. When necessary, they hold public inquiries, in particular to consider the environmental suitability of HGV operating centres and the possibility of disciplinary action against operators who have not observed the conditions of their licences. All vehicles operated by the authority can impact on the Authority’s Operators Licence.

**Transport Road Risk Working Group –** This working group meets on a quarterly basis and has cross departmental representation. The group is attended by Internal Audit and our motor insurer’s claims handlers, Marsh UK. The group discuss a range of transport related risks with the focus being to improve road safety standards, the safe operation of transport and professional development of Council drivers

**Fleet Road Risk Policy**

**1.0 Introduction.**

The Council is committed to manage the risk associated with the operation of road and passenger transport. The Council is intent on continually improving road safety through the responsible use of transport associated with the delivery of services to the people of Carmarthenshire.

The Fleet Road Risk Policy promotes the safe use of vehicles through programmes that will enable all transport users to integrate transport into the service delivery/business process.

##### 2.0 Policy Scope.

2.1 The Policy covers all Council provided operational vehicles (including pool cars) utilised in service delivery by and for the Council. Drivers covered by the scope of this policy include those employed by the Council and those who drive our vehicles as a volunteer driver. It excludes employee leased vehicles.

2.2 This document should be read in conjunction with associated transport documents:

* The policy for the provision and maintenance of vehicles within the Council.
* The agreement for the provision and hire of vehicles.
* Procedures for the safe loading and maintenance of vehicles.
* The Disciplinary Policy & Procedure.
* The Council Driver Handbook.
* Alcohol & Substance Misuse Policy
* Health and Safety Management System.

Available as Appendices A and B to this policy are two additional documents from the Health and Safety Executive.

* A Guide to Workplace Transport Safety
* Driving at Work

Both documents should be read in conjunction with this policy as they provide guidance to drivers and management alike. Adhering to this guidance will ensure

compliance with current regulatory and legal transport operations.

All documents can be found on the Council’s intranet site at the Fleet Services webpage.

**3.0 The Important Legal Requirements.**

3.1 Transport users are often unaware that they operate in one of the most regulated

industries within the UK and EU today. Legislation governs the way we build and operate our transport.

3.2 The Traffic Commissioner licenses our Goods Vehicles and has powers to discipline the Council if any vehicle used by the Council is operated illegally. The Traffic Commissioner in conjunction with the Police and the Health and Safety Executive have wide powers that include prosecution through the Courts, disciplinary action against the Council and its Transport Manager, suspension of our licence to operate goods and passenger vehicles and ultimately, can impound and confiscate vehicles if the Council fails in its duty to comply with the law and operate vehicles safely.

3.3 The Council is therefore required to operate all plant and vehicles safely and to have suitable management procedures in place to comply with all legal obligations and to protect the public and staff.

**4.0 The Key Objective.**

4.1 The Council is committed to providing a safe environment relative to the use and operation of its vehicles and plant. The Council will ensure its operational transport is properly administered, operated safely and road risk is proactively managed.

The Council will deliver its commitment through four key tools which will help deliver Road Safety as a key objective.

**Vehicles & Plant**

**Management & Ownership**

 

## Journeys

**Employees**

**Road Safety**

### 5.0 Management and Ownership.

5.1 The Head of Transport & Engineering has responsibility for the Fleet Road Risk Policy. The policy will be implemented through Heads of Service and Service Managers.

5.2 The Policy seeks to ensure there are management systems in place for the safe use of operational transport within the Council. Heads of Service, Managers and Supervisors have day to day responsibility to ensure their departments comply with the content of the Fleet Maintenance Policy, terms of the Hire Agreements and all procedures issued relative to the operation of vehicles and plant.

5.3 Drivers have responsibility for ensuring vehicles and plant are operated safely and used in accordance with the law at all times.

5.4 All vehicles and plant will be subject to corporate, centralised ownership and operated in accordance with this and supporting policies and procedures.

5.5 The Council will aim to keep up to date with best practicerelative to management of road risk, by a process of learning through membership of appropriate transport, safety organisations and through training. We will seek to implement best practice and continually develop our management arrangements for reducing road risk.

5.6 Risk assessments of each transport operation will be undertaken. The frequency will be in accordance with legislation and if necessary adjusted e.g. through information obtained from monitoring accidents and incidents or through changes in transport related legislation.

### 6.0 Vehicles and Plant.

#### **6.1 Plant/Vehicle Selection.**

#### The Council will ensure that vehicles and plant purchased by the Council are selected to be fit for purpose, comply with the latest legislative requirements and contribute to safety to meet the objectives of the Fleet Road Risk Policy.

#### Plant and vehicles will only be selected following consultation with the service user and risk assessment of the operational requirements of the service.

All vehicles must be in high visibility colours (white or yellow) and where required be equipped with high visibility, conspicuous tape. Vehicles and Plant will also be liveried in accordance with Corporate Policy and agreed by the Communications Manager.

**6.2 Licensing.**

The Council will ensure all plant and vehicles are properly licensed to comply with legislation.

**6.3 Maintenance.**

#### The Council will ensure the plant and vehicle fleet is in a fit and serviceable condition through the implementation of rigorous and effective maintenance procedures that must include:

* Pre use safety inspection for vehicles procured / hired for use within the Authority.
* Written daily defect checking and reporting systems for all drivers, defects are repaired in accordance with our maintenance policy.
* Pre-planned, scheduled safety inspections and servicing in accordance with the Statutory, Department for Transport and Manufacturers recommendations. Independent checks on the Council’s maintenance procedures will be undertaken on a periodic basis by an accredited trade organisation.

**6.4 Legal Obligations.**

Vehicles and plant will be used in accordance with all legal obligations and the Council will meet the commitments provided to the Traffic Commissioner i.e.

* Vehicles and trailers, including those hired are kept fit and serviceable.
* The rules on drivers’ hours and tachographs are observed and proper records kept.
* Motor vehicles and trailers are not overloaded.
* Vehicles operate within speed limits.
* Drivers report promptly any defects that could prevent the safe operation of vehicles and that any defects are promptly recorded in writing.
* Records are kept for 15 months of all defect reports, all safety inspections and routine maintenance and repairs to vehicles and trailers.
* In respect of each operating centre specified, that the number of authorised vehicles kept there will not exceed the maximum numbers registered with the Traffic Commissioner.

**6.5 Performance Monitoring.**

The Council will utilise a computerised Fleet Management system to monitor performance of the fleet to include, safety, maintenance, safe loading, cost and operational performance. Information will be produced and passed to the appropriate Heads of Service who will be responsible for implementing corrective action to improve performance and to protect the “good repute” of the Council.

Performance will be measured through a suite of Performance Indicators.

Technology will be exploited to ensure a safe environment is created for the operation of vehicles and plant. Vehicle telematics integrated to GPS systems will be utilised to improve Service performance and the safety of our employees.

The County Council will encourage community feedback on the effectiveness and safety of its vehicle fleet through the membership of the “Good Driver” scheme that enables members of the public to phone a central call centre to comment on both the positive and negative aspects of vehicle performance. The Council will utilise the information to deliver improvement in vehicle and driver performance.

**6.6 Security.**

The Council has a significant amount of resource invested in vehicles and plant. The safe and secure storage and parking of vehicles is essential to minimising the risk of theft. Vehicles/plant must be properly secured when left unattended, all doors locked and keys removed.

Vehicles may only be taken home by an employee with the written permission of the Department Head of Service under the following circumstances:

* Standby Duty for emergency call out.
* To enable an employee to report direct to site.

On no account is any private mileage permitted in an authority operated vehicle. The carriage of unauthorised goods is not permitted nor will any private business be transacted in the course of a journey on Council business.

Vehicles equipped with suitable seating may only convey passengers whom the driver has been authorised to carry by the Council. Passengers not in the employ of the Council or under their charge should not be conveyed without first confirming their eligibility. Guidance will be provided by Risk Management.

**6.7 Vehicle Brokerage/Loan to Third Parties.**

##### Vehicles loaned or hired to non council organisations may only be loaned with the approval of the Council’s Insurers, the lease company and in accordance with the Fleet Road Risk Policy. All loan/hire agreements must be thoroughly documented and supported by a sub letting/loan agreement signed by both parties. The agreement must provide an assurance from the third parties that they will comply with the terms of all transport related policies, procedures and agreements.

**6.8 Insurance and Accident Analysis.**

Vehicles and plant will be insured through the Council’s Corporate Resource Department. The Corporate Resource Department will decide on the most appropriate level of indemnity for the fleet.

**All** accidents must be reported promptly via an official claim form and in accordance with the insurance reporting procedures.

Accident/incident reports will be analysed and monitored to develop accident prevention programmes to reduce risk. Such analysis will include departmental, vehicle, driver and accident data.

Accident Investigation – accidents involving injuries to any individual, damage to property or significant vehicle damage will be investigated thoroughly and reviewed by the Transport Road Risk Working Group.The Head of the relevant Service or a delegated responsible person may suspend an individual from driving or a vehicle from operating, following any accident where there is considered to be a future risk to the safety of employees or the public.

Specialist forensic accident investigators may beutilised whenever a Council vehicle has been involved in a serious accident.

The Group will have the responsibility for developing and implementing corrective action programmes. Any programme will be consistent with County policies and procedures.

The Transport Risk Working Group will report to the Risk Management Group.

Insurance premiums and claims excess will be based on fleet safety and claims experience over the previous 12 months performance.

Any drivers suspended from driving will be subject to driving assessment, re-training or medical examination before being permitted to continue driving duties.

##### 7.0 Journeys

7.1 **Managers and Supervisors** will be responsible for organising work schedules to realistic timescales that ensure road related risks are minimised and compliance with the law and operators licence commitments are achieved at all times. **Safety is paramount.**

**7.2 Drivers/Operatives** are responsible for ensuring compliance with the legal and operator’s license responsibilities when utilising vehicles and plant during the course of their work.

##### 8.0 Employees

#### Drivers and Operatives have the greatest influence on their own and vehicle safety on a day to day basis. It is therefore important that they are equipped with the right skills and knowledge to ensure compliance with the law and to ensure the safe performance of Council vehicles and plant.

#### The Council will support employees through appropriate recruitment, training and procedures that assist them with legal compliance at all times. Any Council employee who is undertaking a work related journey must comply with legal requirements at all times.

#### **8.1 Recruitment**

#### Posts that require an employee to drive as a requirement of the job will include the following within the job profile and advert:

#### The correct driving licence requirement for the role being applied for. Driving licences will be checked using the DVLA web portal. Driving licences with 6 or more active points must be referred for consideration by HR before any offer of employment is made.

#### That applicants must notify the Council of their previous driving history for the previous 3 years.

* Those employed are required to disclose any additional employment interests that may impact on their ability to perform for the Council.

#### **8.2 Offer of Employment**

#### When appointing a vocational driver, a provisional job offer should only be made until such time that the applicant has undertaken a driver assessment through the Fleet Services unit.

#### All new employees expected to drive vehicles other than cars and car derived vans must undergo a Driver Induction Programme for transport, before they are required to drive at any time.

#### **8.3 Training.**

#### Existing employees employed on significant vocational driving duties will be required to undertake training / development and refresher courses at a period determined by the Transport Road Risk Working Group or relevant Head of Service.

Vocational Drivers of vehicles in excess of 3.5 Tonnes GVW who fall within scope will be required to undertake mandatory driver training under the national Certificate of Professional Competence (CPC) scheme. The Council will be responsible for the provision and delivery of this training. A vocational driver who refuses to undertake this training will not be permitted to drive any Council provided vehicle.

The Council will train Drivers and Operatives on the use of vehicles where any new vehicle or item of plant enters service. All training will be documented.

#### **8.4 Return Following Disqualification from Driving.**

Any employee who has been disqualified from driving and returns to work following a conviction will not be allowed to return to driving duties for the Authority until they have appeared before the Transport Risks Group and they are satisfied that a formal driver development training programme has been agreed and implemented. The Driver may then return to driving subject to the successful completion of the development training programme and review.

In some instances, returning Drivers whose driving history is deemed to present a future risk to the Council’s transport operation may not be permitted to engage in driving activities for the Council.

#### **8.5 Licences.**

Managers, Supervisors along with the Driver must ensure that Drivers have the correct category of licence for the vehicles being driven and licenses are current and up to date. Service Managers must ensure annual checks are undertaken on licences and Drivers must cooperate with these checks. Such checks will be undertaken via the free online service provided by the DVLA. A flowchart describing how the licence checking service may be used is provided at Appendix C to this document.

#### Drivers/Employees who receive any endorsement for a motoring offence, or have a licence disqualification, must notify their Supervisor/Manager immediately, who in turn must notify the Fleet Manager.

#### **8.6 Fitness to Drive.**

### It is the responsibility of the Driver, supervisor and manager to ensure that a driver is fit to drive and that the driver satisfies any medical certification or other legal documentary requirements.

A Driver must not be in charge of a vehicle/item of plant if they are not fit and able to drive under any legal restraint, or under the influence of any alcoholic drink or drug, prescribed or otherwise. Any Driver found to be not fit to drive or incapacitated through drink or drugs will face disciplinary action.

Vocational Drivers are required to ensure they meet the relevant DVLA medical requirements.

All volunteer Drivers operating under the Permit 19 Scheme are expected to undertake an initial medical provided by the Council and then subsequent medicals at five year intervals once the Driver reaches forty five years of age.

**8.7 Driver Obligations.**

Every Driver will ensure that vehicles and plant will be used in accordance with all legal obligations and that the Council will meet the commitments it has provided to the Traffic Commissioner i.e.

* Vehicles and trailers, including those hired are kept fit and serviceable by undertaking daily defect checks and completing the vehicle defect log.
* The rules on drivers’ hours and tachographs are observed and proper records kept through the completion of the drivers log book.
* Motor Vehicles and trailers are not overloaded; Drivers will comply with the guidelines on safe loading.
* Vehicles operate within speed limits. Drivers will comply with speed limits at all times.
* Drivers will comply with all legislative requirements pertaining to the Road Traffic Act 1988 as amended by the Road Traffic Act 1991.
* Drivers report promptly any defects that could prevent the safe operation of vehicles and that any defects are promptly recorded in writing.

#### **9.0 Notice of Intended Prosecutions.**

#### Any Driver who drives a Council provided vehicle or their own vehicle on Council business must notify their Line Manager of any intended prosecution relating to Road Traffic Offences, immediately. The Line Manager must inform the County Transport Division immediately.

##### 10.0 Compliance

All Managers, Supervisors and Drivers are required to comply with this policy and supporting documentation and to meet all legal requirements when using vehicles/plant. Failure to do so may result in disciplinary action in accordance with the Council’s disciplinary procedures.

##### 11.0 Policy Review

The Head of Transport & Engineering will undertake an annual review of the Fleet Road Risk Policy to measure performance and to update the Policy in accordance with emerging legislation.

**12.0 Ensuring Equality of Treatment**

This policy must be applied consistently to all employees irrespective of race, colour, ethnic or national origins (including citizenship), language, disability, religion, belief or non belief, age, sex, gender reassignment, sexual orientation, parental or marital/civil partnership status, pregnancy or maternity.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact the Head of Service for Transport and Engineering who will, if necessary, ensure the policy/procedure is reviewed accordingly.

**If you require this information in an alternative format (for example large print), please contact the Fleet Manager on ext 3768.**