Driving for Work ..........
The Problem!
The Reality!
The Solution!

www.roadsafetyprospects.co.uk
Road Safety Prospects LTD is a unique service provider offering off the shelf, bespoke or specialised driver education and training to organisations that have employees who driver their own, or hired vehicles during their working day.
Will Look At…..

• The Legal Requirements on Employer, Managers and Employees in relation to driving for work.

• What organisations should be doing to manage the risk of driving at work - what controls should be in place.

• Examples of work related incidents and their outcomes.

• The Fatal 4 causation factors in road traffic collisions – Drink and Drug Driving, In-Car Distractions, Speeding and Mobile Phone Use.
So What is the Problem?
Driving for Work is one of the most dangerous work activities within an organisation. (144 RIDDOR Reportable Deaths in 2017-2018 HSE)

Globally driving for work accounts for 1.3 million deaths a year! (Brake)

In the UK almost 1/3rd of road fatalities involve someone driving for work. (www.gov.uk)

This would equate to nearly 600 work related road deaths in 2017-2018. Massively underestimated = Recording!

Even 1 death is unacceptable
The Problem

- 25% of vehicle miles are business travel
- 1 in 3 collisions involve a vehicle being driven for work purposes
- Every week, around 200 road deaths and serious injuries involve someone at work
- Business drivers have collision rates that are 30 – 40% higher than those of private drivers
Why is driving for work one of the riskiest activities of an organisation?
Driving for work

Road traffic legislation imposes specific requirements on employers in respect of vehicle use and maintenance.

But employers also have responsibility under Health and Safety legislation to ensure so far as reasonably practicable the health and safety of their employees and others who may be affected by their work activities. This includes the activity of driving on public roads.
Employers responsibilities

Managing the risks to employees who drive at work requires more than just compliance with road traffic legislation.

The Health and Safety at Work etc Act 1974 requires employers to take appropriate steps to ensure the health and safety of their employees and others who may be affected by their activities when at work. This includes the time when they are driving or riding at work, whether this is in a company or hired vehicle, or in the employee’s own vehicle.

There will always be risks associated with driving. Although these cannot be completely controlled, an employer has a responsibility to take all reasonable steps to manage these risks and do everything reasonably practicable to protect people from harm in the same way as they would in the workplace.
• **Health and Safety at Work Act 1974** – ‘Employers have a legal duty to ensure health, safety and welfare of employees and any others who may be affected by their actions.’

• **The Management of Health, Safety and Welfare at Work Regulations 1999** – ‘Require every employer to carry out an assessment of the risks to the health and safety of their employees or themselves, whilst they are at work and to others who may be affected by their activities.’

• **The Provision and Use of Work Equipment Regulations 1998** – Applies to any motor vehicles not privately owned and places a duty on employees to maintain all equipment is an efficient state, good working order and repair and assess the risk from using the vehicle and provide appropriate information instruction training and supervision.

• **Road Traffic Act 1991** – Employers must be aware of the rules and not cause or permit employees to break any road traffic laws.
Corporate Manslaughter and Corporate Homicide Act 2007.

- Where there have been serious management failings that result in a fatality the organisation may face prosecution.

- This includes the use of vehicles on public roads as well as in the workplace.

- Sure all aware of the Sentencing Definitive Guidelines – Sets out the range of sentences that can be imposed based on level of culpability, seriousness of offence and size of the company and any mitigating factors.

* Individuals and the organisation can still face other charges under health and safety and criminal law (Eg Gross Negligence Manslaughter etc).
Corporate Manslaughter and Corporate Homicide Act 2007.

‘If one of your employees is killed, for example while driving for work, and there is evidence that serious management failures resulted in a ‘gross breach of a relevant duty of care’, your company or organisation could be at risk of being prosecuted under the Corporate Manslaughter and Corporate Homicide Act 2007.’
• Comply with the Road Traffic Act.

• Duty to take care of own health and safety and that of others who may be affected by their actions at work.

• Must cooperate with employers and co-workers to help them meet their legal requirements.

• Adhere to policies and procedures set down by the organisation.
Consequences

What are the potential consequences of failing to manage driving at work risks?
Consequences

Prison Sentences
Fines / Damages
Fatalities / Injuries
Time off Work
Bad Publicity
Increased Premiums
Damaged Reputation
Damaged Equipment / Vehicles
An employee driving on company business caused two deaths in a multi-vehicle accident on the M25 after dozing off at the wheel.

Verdict: Company owner and a fellow director were jailed for 15 months and 12 months respectively. The Court heard that the procedures used to monitor drivers’ hours were wholly inadequate. The employee involved was also jailed for two years.
An employee using a non hands-free ’phone lost control of his vehicle and collided with another vehicle resulting in the death of another driver.

The employee was sentenced to three years in prison plus a four-year driving ban.

The employers were cleared of all blame when it was shown that their procedures and policies were in line with legislation and that specific written instructions had been issued to all employees regarding the use of mobile phones whilst driving.
An employee spent six and a half minutes on his mobile phone during a fifteen minute journey.

During a second call to his wife, the driver ignored a total of 15 road signs as he used his hand-held ’phone.

He then made an illegal turn onto the M6 motorway and immediately collided with a motorcyclist driving in the opposite direction, who subsequently died from his injuries.

The Judge passing sentence said that a motorcyclist had lost his life because the driver of the car had been avoidably distracted by using a mobile ’phone. The car driver was jailed for five years, followed by a five-year driving ban. The employers escaped prosecution because the employee was talking to his wife and so was not making a business call.
Have a robust Driving for Work Policy
Including: Disclosure of medical conditions, informing of medications, driver hours and work hours, eye sight checks, alcohol and drugs and use of in car distractions etc.

Have a suitable and sufficient Driver Risk Assessment
Identify the hazards and relevant controls & communicate.

Ensure managers and employees are aware of their responsibilities
Through policies, procedures and handbooks.

Invest in vital education and training.
Implement the Drivers Policy requirements:
- Thorough and regular licence checks.
- Health questionnaires to identify health conditions and medications.
- Act upon findings.
- Enforce the drivers policy.
- Ensure employees are aware of risk assessment, policy and handbooks.
- Investigate accidents, incidents and near misses.
- Commit to education and training.
- Commit budgets and time for vital education and training inputs.
- Ensure work is planned to take into account stress, anxiety and fatigue.
The Solution – The Employee

- Notify the DVLA if they have a notifiable condition.

- They must give up their licence if either: their doctor tells them to stop driving for 3 months or more, or: if they don’t meet the required standards for driving because of their medical condition.

- Inform the employer of any changes to their health and new medication which may effect driving.

- Not drive if they feel unwell or fatigued to the point it may impair their driving.

- Attend regular eye tests and inform DVLA and employer if there are any changes.
Road Safety Prospects can support you:

- Advise you on your Driving for Work Policy.
- Advise on your Driving for Work Handbook.
- Advise on Driving for Work Risk Assessments.
- Deliver bespoke workshops on various topics including: Medical conditions and medication, Drugs and Alcohol, In-vehicle distractions including hands free, Apple Car Play and Sat NAV, Speeding, Motorway Driving, Eco Driving and much more.

Road Safety Prospects Ltd also are the creator and sole deliverer of the only IOSH accredited Driving for Work Course.
What Causes a Crash?
Errors and Violations

Internal and External Distractions

- Icy roads
- Inexperienced
- Lack of skill
- Low sun
- Lack of concentration
- Fog
- Lack of judgement

Perception and recognition of hazard

- No washer fluid
- Failure to negotiate a ‘bad’ bend
- Impairment
- Failure to judge speed or distance
- Emotional stress

Inappropriate speed

- Inexperience
- Failure to see or recognise risk
- Impairment
- Defective tyres
- Frustrated or aggressive behaviours

Road layout

- Excessive speed
- Using mobile phone / texting
- Drink
- Pot holes
- Drugs
Main Causes of Road Traffic Crashes

Environment

Road

Vehicle

Human Error
96% Collisions = Human Error
The Fatal Four ……

1. SPEED
2. SEATBELTS
3. DRINK / DRUG DRIVING
4. DISTRACTIONS
Are you FIT to drive?

What can cause you to be UNFIT to drive?
Are you FIT to drive?

- Alcohol
- Drugs
- Illness
- Medical Conditions and Disabilities
- Eyesight
- Fatigue
- Stress
Impairment through drink and / or drugs

Could you be a Drink Driver?
Best / Worst Night Ever?
Not Safe to Calculate!

Absorption  Processing

ROAD SAFETY Prospects
RU FIT 2 DRIVE

Impairment through drink and/or drugs

Could you be a Drug Driver?
Illegal, Prescribed and Over the Counter Medication.

- Illegal Drugs
- Prescription Medications
- Over the Counter Remedies and Medicines
Medical Conditions and Disabilities

You must notify the DVLA if;

- You have a notifiable medical condition or disability
- Your medical condition or disability has got worse
- You develop a new medical condition or disability

You must also notify your employer of any changes with your driving licence
Eyesight

• What is the minimum legal requirement for eyesight for driving?

• When and why should you wear corrective eyewear for driving?

• Are all sun glasses suitable to wear when driving?

• Notifying the DVLA – Code on Licence!

• Penalties / Insurance
Question; When or where are sleep related crashes most likely to occur?

Employers should encourage employees who drive cars on business to take a 15 minute break after driving for 2 hours.
Stress

• The Health and Safety Executive (HSE) research shows that stress and feeling under pressure can lead to an increased risk of being involved in a collision

• If you are suffering from stress, you must tell your employer. Employers have a duty to deal with stress in the workplace
Distractions....

Mobile Phones

Law Change: March 2017!
NOW
6 points
£200 fine
Distractions....

What does this include....?
• The law includes an offence of ‘causing and permitting’ a driver to use a hand held phone while driving.

• This can apply to employers who will be guilty of an offence if they require or permit their staff, who drive for work, to use a hand held mobile phone whilst driving.
CALL TO ACTION

MORAL
We want all our employees to go home to their families.
We don’t want anyone to be hurt by us or our employees acts or omissions.

Legal
Prosecution of employee under the Road Traffic Act.
Prosecution of employer and manager under Health and Safety Legislation.
Publicity notices. Repairs, vehicles off road, reduced productivity.

Financial
Fines from enforcement. Civil Action. Insurance premiums.

Diagram:
- Financial
- Legal
- Moral

Diagram:
- Financial
- Legal
- Moral
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07595 719 421