



Work Related Driving Policy

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POLICY/PROCEDURE

1. Introduction

The University of Wolverhampton has duties under the Health and Safety at Work etc. Act 1974 to ensure the health, safety and welfare of its employees and make similar provision for non-employees including students and visitors who may be affected by the University's activities.

2. Purpose

The purpose of this document is to ensure, where applicable compliance with the Health & Safety Executive Guidance for employers "Driving at Work – Managing work-related road safety", to fulfil the requirements of our statutory 'duty of care' and meet current insurance sector standards. It details the arrangements necessary and the individual and collective responsibilities that will ensure that the risks associated with occupational driving are minimised, so far as reasonably practicable.

The applicable legislation and standards include: -

- The Health and Safety at Work Act 1974 (Section 2).
- Management of Health and Safety at Work Regulations 1999.
- The Road Traffic Act 1991.
- Driving at Work – Managing work-related road safety (HSE, DfT, RoSPA).
- Road Safety Act 2006.

The Health and Safety Executive (HSE) in collaboration with the Department for Transport (DfT) and the Royal Society for the Prevention of Accidents (RoSPA) have published Guidance for Employers on "Driving at Work – Managing work-related road safety". This Guidance clearly states their view that the requirements of Section 2 of the Health and Safety at Work Act 1974 and Regulation 3 of the Management of Health and Safety at Work Regulations 1999 apply to all work-related activities, including "work-related driving".

The Guidance states that it is essential to have an effective policy which covers the issue of work-related driving, clearly defining responsibilities for both the employer and employee and the arrangements for implementation.

The purpose of this document is to ensure that adequate controls are in place to protect both the institution and the individual and to provide a set of standards, which form a framework within which all parties may confidently operate.

This Policy establishes a framework for dealing with situations that may arise as a consequence of its implementation, e.g., identifying persons who are unfit to drive or are no longer permitted to drive.

This Policy does not diminish in any way the individual's responsibility to act within road safety law in all regards when driving on the public highway.

3. Scope

This Policy recognises that there are distinct categories of employees who drive as part of their work activities:

- Employees who are required to drive vehicles owned/leased by University of Wolverhampton as an integral part of their employment (e.g. *maintenance and , security staff*);
- Employees who use their own vehicles or hired vehicles for convenience on a casual basis, in order to undertake some element of their role within the institution (e.g. *outreach work, business development, marketing, inter-site travel etc.*)

4. Policy

Qualified to drive

All persons who drive on behalf of the University for business purposes, either as an essential part of their employment, or on a casual basis, or for convenience are personally responsible for ensuring that they are qualified to drive the relevant type of vehicle within the UK.

All persons who drive University owned or leased vehicles as an essential part of their employment should present their driving licence for inspection to their Head of Department/Faculty on an annual basis, to ascertain their continued qualification to drive.

If you are required to drive outside of the UK on university business, you must ensure you have any required driving permits prior to departure.

Insurance arrangements

The law requires all persons who drive on the public highway to be adequately and appropriately insured. This means that any person driving, albeit occasionally in connection with the business of their employer, must be covered for “business use”

All persons who drive University of Wolverhampton owned or leased vehicles as an essential part of their employment and, all persons who request vehicles to be hired or leased by the University of Wolverhampton for their use on business purposes are automatically covered by the University of Wolverhampton insurance policy

Persons who use their own vehicles for University business purposes on a casual basis or for convenience (e.g., travel to meetings) should ensure that their personal insurance policy states “for business use”.

Transporting students insurance arrangements

Staff may transport students where this forms part of authorised University business. Where a University-owned vehicle, or another vehicle falling within the University’s custody or control, is being used, the Motor Insurance Certificate permits authorised and appropriately licensed drivers to use the vehicle in connection with University business.

Where a member of staff uses their own private vehicle, they remain responsible for ensuring that their personal motor insurance provides the appropriate business-use cover and permits the carriage of passengers for that purpose. The University’s motor insurance does not replace the insurance required for a privately owned vehicle.

The University recommends that staff only transport students in their own vehicles where the journey is authorised University business and they have confirmed that appropriate cover is in place with their own

motor insurer.

Guidance: Standard car insurance is for 'social, domestic and pleasure' purposes only, which permits travel to and from your normal place of work, but not use of the vehicle whilst at work. If you would wish to use your own car for convenience to travel to meetings or undertake similar work related activities, then informing your insurer that you intend to use your private vehicle for 'occasional business use' is essential to avoid invalidating your insurance, whilst ensuring that you are adequately covered in the event of an accident or personal injury .

Note- 'occasional business use' may be limited to approx. 1500 miles per annum of 'business travel', (ask your insurer for clarification).

Fitness to drive:

It is every individual's responsibility to ensure that they are medically fit to drive on the public highway, irrespective of whether they are doing so as an individual for social, domestic or pleasure purposes, or whether they are doing so as a work-related activity.

Drivers of University of Wolverhampton vehicles must declare to their line manager if they are suffering from, or diagnosed with from any medical condition that might adversely affect their ability to drive safely, (e.g. epilepsy, diabetes, and vision impairment).

Reference will then be made to Occupational Health Adviser, who will assess the individual concerned and advise the University of Wolverhampton Human Resources Department regarding the correct course of action.

University of Wolverhampton will seek to support individuals to ensure that fitness to drive is achieved, where the person drives on behalf of the University either as an essential part of their employment, or where the driving is part of an approved activity (e.g. driving a minibus).

This support includes, pre-employment medical screening, and health checks via Occupational Health (intervals as determined by OH)

If you require eyesight correction to maintain visual standards when driving, it is your obligation to make arrangements to have an optician's check every 2 years, or more frequently if advised to do so.

University Vehicles

University of Wolverhampton operates a separate Code of Practice for all drivers of University vehicles whether they be owned, leased or hired.

Road Safety

The law states that it is the responsibility of the driver to ensure that any vehicle driven on the public highway is safe and fit for use.

In the case of employees who use their own private vehicle for the purposes of work, it is their responsibility to ensure that the vehicle has a valid MOT certificate (where applicable), is properly maintained and roadworthy.

Guidance: It is important to note that each time you submit your FIN02 'Staff expenses claim form for normal business journeys' and FIN01 'Staff expenses approval' you are certifying

that you have suitable motor insurance and a valid MOT certificate for your vehicle.

Where an employee uses vehicles owned, leased or hired by the University of Wolverhampton appropriate servicing and maintenance arrangements must be established in accordance with manufacturer's recommendations, to ensure that the vehicle is fit for use.

Guidance: The driver is still responsible for the safe condition of the vehicle when it is taken on the public highway. All drivers should undertake basic, routine checks of vehicles provided for their use, before proceeding. (See Appendix A)

Drivers must not drive under the influence of alcohol, intoxicating drugs or other substances that are likely to impair judgement or the ability to react quickly and appropriately to road conditions or circumstances.

For more information see the University Alcohol and Substance Policy and Procedure available through the HR self-service portal.

Guidance: Drivers who are taking prescription drugs which might adversely affect their ability to drive should inform their line-manager in the first instance and co-operate fully in determining the most appropriate course of action.

Employees who are driving whilst at work are required to comply fully with the law, which prohibits the use of handheld mobile phones and other devices whilst driving. Employees are encouraged to make use of the voicemail facility on their mobile phone and make return calls when it is safe to do so. For further information on the use of handheld devices refer to the University of Wolverhampton Policy.

Guidance: Managers are advised that where they may need to contact a member of staff, who may be driving, by mobile phone the driver should be advised to use the 'voicemail' facility and agree contact times or arrangements whereby they call the 'office' regularly to pick up messages.

Employees/drivers are responsible for the payment of any parking, speeding, or other traffic-related fines incurred during the hire period of a vehicle. All fines must be paid in full within the specified payment timeframe.

Passenger and goods carrying drivers must not exceed the maximum permitted driving hours and comply with regulated driver rest breaks as per current legislation.

As of April 2017, drivers can be charged up to 175 per cent of their weekly wage for speeding in the UK (See Appendix B for maximum UK speed limits). There is a cap of £1,000 on minor offences or up to £2,500 for major ones. A three-band system will determine the severity of an offence and corresponds to different charges. These charges are calculated on a percentage basis. In addition to the variable fee motorists could land themselves with a driving offence of this nature, they could also receive between three and six penalty points.

EU law in relation to speeding is different and motorists are advised to ensure that they are fully aware of speed limits imposed within the country in which they are required to drive.

Risk Assessment:

Where employees are required to undertake work-related driving, it is expected that the schedule of driving,

work activities and periods of rest are mutually agreed and determined in order to identify any significant risks, so as not to place an undue burden upon the person concerned.

Guidance: In exercising reasonable control over work-related driving you need to be able to answer the following questions:

- Are the routes selected suitable and have details been left with someone?*
- Is the schedule realistic and provide sufficient time for the journey, making adequate allowance for rest breaks, (at least 15 minutes rest in every 2 hours driving) and traffic congestion?*
- Have other options been considered e.g. overnight stay, use of alternative transport (trains, coaches etc.)?*
- Has sufficient consideration been made of the work activity to be undertaken upon arrival and the distance/time involved ensuring that the risk of driver fatigue is minimised?*

Reporting accidents and incidents

In the event of any accident, an internal accident report form must be completed online and submitted to the University Health & Safety Department.

University Of Wolverhampton Accident & Near-Miss REPORT FORM

Where employees who are driving University of Wolverhampton owned or leased vehicles, or vehicles which are hired by the University for their use, are involved in road traffic accidents or incidents which result in damage to vehicles, loss or damage to property or injury to persons, they must;

- Report any incident that may give rise to a claim to the University of Wolverhampton Insurance Officer as soon as possible irrespective of the amount of damage.
- Under no circumstances should a driver/employee admit liability or make offer of payment to a third party or his insurer.
- It is vital that the driver notes the registration number of the vehicle(s) involved. The full name and address of each driver should be obtained. A mobile phone number proves insufficient in many cases.
- It is vital to obtain contact details of any witnesses, and preferable to also obtain statements from such witnesses if possible.
- Photographs and a detailed sketch (showing road markings) may also assist if liability is subsequently disputed.

Employees who are involved in an accident/incident whilst engaged in work-related driving in their own vehicles should deal with any claims that arise from this directly with their own insurer.

Dealing with medical conditions affecting the ability to drive

Where employees are required to drive University of Wolverhampton owned or leased vehicles, or their own vehicle, as an essential part of their duties, they are duty bound to inform their line manager immediately of any medical condition which would prevent them from driving legally on the public highway.

Managers will relieve the person of all driving duties with immediate effect and in consultation with the

individual, identify suitable means by which they may continue to undertake their normal duties or alternative work activities (as a short-term solution).

Advice should be sought from Human Resources and where applicable Occupational Health.

Dealing with employees who have incurred additional convictions or disqualification

Where employees are required to drive University of Wolverhampton owned or leased vehicles, or their own vehicle, as an essential part of their duties, they are duty bound to inform their line manager and Insurance Officer of any additional convictions (including penalty points) or periods of disqualification immediately.

For disqualification managers will relieve the person of all driving duties with immediate effect and in consultation with the individual, seek to identify suitable means by which they may continue to undertake their normal duties or alternative work activities (as a short-term solution).

Advice will be sought from Human Resources to identify, in consultation with the individual and their line-manager, the most appropriate course of action.

5. Roles and responsibilities

Failure to comply with this policy may be referred to the relevant line manager as a disciplinary offence.

6. Exceptions

There are no exceptions to this policy.

7. Amendments

The University may change this Policy at any time, and where appropriate. Where a policy is not due for review, but is found to require updating, it will remain published, unless the reasons for review render it obsolete.

8. Information and Resources

- The Health and Safety at Work Act 1974 (Section 2).
- Management of Health and Safety at Work Regulations 1999.
- The Road Traffic Act 1991.
- Driving at Work – Managing work-related road safety (HSE, DfT, RoSPA).
- Road Safety Act 2006.

<https://www.gov.uk/drivers-hours/overview>

9. Contact

For general queries, please contact the University Health and Safety Department.

Email: HSDEmails@wlv.ac.uk

VERSION	7	AUTHOR(S)	Head of Health and Safety
		OWNER	
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Appendix A: Pre-use checks for the vehicle

The Road Traffic Act states that **the driver is responsible** for the roadworthiness of any vehicle, the load being carried and the wearing of seat belts by passengers, whilst travelling on the public highway.

As such, it is **strongly recommended** that for University of Wolverhampton employees intending to drive any vehicle for work related purposes, they should undertake appropriate checks prior to using the vehicle, for example: -

- Tyre tread
- Foot and hand brake operation
- Lights, indicators and hazard warning lights operate
- Horn operates
- Screen wash and wipers operate
- Seat belts fitted and functioning
- Mirrors adjusted/adjustable

These are tasks which do not require any technical expertise and are the basic checks included in the current UK driving standards examination.

- Additional checks for long journeys might usefully include: -
- Fluid levels (oil, coolant and screen wash)
- Tyre pressures
- Locks and security functional
- Fuel level

It is not intended that checklists are provided or that records of pre-use checks are kept, as it remains the responsibility of any driver to ensure that a vehicle is roadworthy.

Appendix B

Speed limits (UK) - Guidance for Staff

The speed limit is the absolute maximum and does not mean it is safe to drive at that speed irrespective of conditions.

Driving at speeds too fast for the road and traffic conditions can be dangerous. You should always reduce your speed when:

- The road layout or condition presents hazards, such as bends.
- Sharing the road with pedestrians and cyclists, particularly children and motorcyclists.
- Weather conditions make it safer to do so.
- Driving at night as it is harder to see other road users.

You must not exceed the maximum speed limits for the road and for your vehicle (see table below). Streetlights usually mean that there is a 30 mph (48 km/h) speed limit unless there are signs showing another limit.

Please Note - The 30 mph (48 km/h) limit applies to all traffic on all roads in England, with a 20 mph (32 km/h) limit in Wales (only Class C and unclassified roads in Scotland) with street lighting unless signs show otherwise.

Speed limits in built-up areas

	Built-up areas mph (km/h) in England, Scotland and Northern Ireland	Built-up areas mph(km/h) in Wales
Cars, motorcycles, car-derived vans and dual-purpose vehicles	30 (48)	20 (32)
Cars, motorcycles, car-derived vans and dual-purpose vehicles when towing caravans or trailers	30 (48)	20 (32)
Motorhomes or motor caravans (not more than 3.05 tonnes maximum unladen weight)	30 (48)	20 (32)
Motorhomes or motor caravans (more than 3.05 tonnes maximum unladen weight)	30 (48)	20 (32)
Buses, coaches and minibuses (not more than 12 metres overall length)	30 (48)	20 (32)

	Built-up areas mph (km/h) in England, Scotland and Northern Ireland	Built-up areas mph(km/h) in Wales
Buses, coaches and minibuses (more than 12 metres overall length)	30 (48)	20 (32)
Goods vehicles (not more than 7.5 tonnes maximum laden weight)	30 (48)	20 (32)
Goods vehicles (more than 7.5 tonnes maximum laden weight) in England and Wales	30 (48)	20 (32)
Goods vehicles (more than 7.5 tonnes maximum laden weight) in Scotland	30 (48)	20 (32)

Speed limits on single and dual carriageways and motorways

	Single carriageways mph (km/h)	Dual carriageways mph (km/h)	Motorways mph (km/h)
Cars, motorcycles, car-derived vans and dual-purpose vehicles	60 (96)	70 (112)	70 (112)
Cars, motorcycles, car-derived vans and dual-purpose vehicles when towing caravans or trailers	50 (80)	60 (96)	60 (96)
Motorhomes or motor caravans (not more than 3.05 tonnes maximum unladen weight)	60 (96)	70 (112)	70 (112)
Motorhomes or motor caravans (more than 3.05 tonnes maximum unladen weight)	50 (80)	60 (96)	70 (112)
Buses, coaches and minibuses (not more than 12 metres overall length)	50 (80)	60 (96)	70 (112)
Buses, coaches and minibuses (more than 12 metres overall length)	50 (80)	60 (96)	60 (96)

	Single carriageways mph (km/h)	Dual carriageways mph (km/h)	Motorways mph (km/h)
Goods vehicles (not more than 7.5 tonnes maximum laden weight)	50 (80)	60 (96)	70 (112) 60 (96) if articulated or towing a trailer
Goods vehicles (more than 7.5 tonnes maximum laden weight) in England and Wales	50 (80)	60 (96)	60 (96)
Goods vehicles (more than 7.5 tonnes maximum laden weight) in Scotland	40 (64)	50 (80)	60 (96)

These are the national speed limits and apply to all roads unless signs show otherwise.

For further information visit:

<https://www.gov.uk/browse/driving/highway-code-road-safety>