

Driving at Work Policy



**MICHAEL
J. LONSDALE**



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Driving at Work Policy.

Policy Statement.

It is the policy of Michael J Lonsdale Limited to take all reasonable steps to manage the health and safety of company personnel who may drive on company business. This is to comply with the statutory duties as an employer and to demonstrate that all reasonable steps have been taken to introduce safe systems of work. It is for this reason that this policy not only sets out procedures on work-related driving, but details what is expected from company personnel; both in terms of complying with relevant legislation and Michael J Lonsdale Limited standards. These cover a variety of areas including the documentation that we need to see from own-car drivers, as well as basic guidelines on driver health.

Michael J Lonsdale Limited have a duty under the Health and Safety at Work Act 1974 to takes steps as far as is reasonably practicable, to ensure the health, safety and welfare of those who need to drive as part of their job. To comply with these duties, the company will take steps to set up safe systems of work to control and manage any risks, which cannot be eliminated. These will be identified by the carrying out of a suitable and sufficient risk assessment as required by the Management of Health and Safety at Work Regulations 1999. Where applicable, this policy is also based on relevant provisions of the Road Traffic Act 1988.

Signed



For and on behalf of the Board of Directors

Name

Gary Herbert

Position

Managing Director

Date

13/6/2019



Procedures

To comply with our legal duties, we have introduced a set of procedures, which are to be read in conjunction with the 'Health & Safety Executive' guidance notes (Industry guidance INDG382, attached). These are always to be followed by staff and are as follows:

- Where a fleet or company vehicle has been provided, employees must always report any suspected vehicle defects to Nigel Swanton (Procurement Director). If a defect is suspected, personnel should never take a risk and attempt to drive a vehicle
- If an employee uses their own vehicle, they are required to maintain that vehicle in a roadworthy condition.
- Before embarking on a long journey, personnel should always carry out basic checks, e.g. to check oil, water levels and tyre pressure.
- Personnel should follow any advice given on route-planning. They should also ensure that sufficient breaks are built-in to prevent fatigue and allow for any bad weather or traffic congestion, etc.
- Hand-held mobile phones must never be used whilst driving and calls should only be made or taken when it's safe to do so.
- Personnel should always drive within speed limits and according to the prevailing weather conditions
- Before driving, personnel should familiarise themselves with the procedure to follow in the event of a breakdown.

Documentation.

For Michael J Lonsdale Limited to comply with its legal duties, those using their own vehicles shall be required to produce basic documentation. Where this is necessary, Nigel Swanton (Procurement Director) shall take responsibility for checking the following on an annual basis:

- Employee's driving licence.
- If the car is more than three years old, the current MOT certificate
- insurance documents.

Employee / Personnel Duties.

Section 7 of the Health and Safety at Work Act 1974 also places a responsibility on employees to assist us in complying with Michael J Lonsdale Limited's legal duties. Employees / personnel are also required to be mindful of their own health and safety and that of others who may be affected by their activities. To this end, employees / personnel shall follow the procedures laid down in this policy and to:



- Keep their insurance up to date. Where using their own vehicle, employees / personnel should include class one business use.
- Where applicable, ensure a current MOT is in place.
- Make available copies of the above documents annually when requested to do so.
- Inform Nigel Swanton (Procurement Director) of any changes in circumstances, e.g. penalty points or new vehicle.
- To have regular eye tests and to ensure that any necessary glasses for driving are worn.
- To read any updates that Michael J Lonsdale Limited may periodically issue on road safety matters. These will include information on good practice as well as forthcoming legal changes which affect those who drive for work.

Ill-health and Driving.

Employees / personnel are responsible for ensuring that they are physically fit to drive. Should this change, their line manager must be informed as soon as possible. Drivers should also remember that some prescription drugs can cause drowsiness and affect the ability to drive safely. If medication is necessary, employees should check with their GP or pharmacist before driving; even short distances.

Research suggests that a journey time of more than four hours could carry a risk of Deep Vein Thrombosis (DVT), those who drive regularly for long distances should advise Michael J Lonsdale Limited of any family history of DVT, or if they have ever experienced problems with blood clotting. Where this is the case, Michael J Lonsdale Limited will refer them to their GP to ensure that they are able to drive safely and without risk to their health and safety.

Mobile Telephones.

The company recognises it has a responsibility to assess and limit the risks to employees whilst driving. Therefore, in accordance with the Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 2003, employees, during their work are not permitted to use a handheld mobile telephone or hand-held device of any kind, including a hands-free kit, whilst driving a motor vehicle.

The company defines employees / personnel as driving a vehicle when the motor vehicle is moving or when the motor vehicle is stationary with the engine running. This applies to all motor vehicles including motorcycles.

Whilst driving, employees are prohibited from using a mobile phone or hand-held device for:

- Sending or receiving oral or written messages.
- Sending or receiving facsimile documents.
- Sending or receiving still or moving images.



- Providing access to the internet.

The only circumstances under which an employee is permitted to use a handheld mobile phone or hand-held device is when:

- Using the telephone or other device to call the police, fire, ambulance or other emergency service on 112 or 999.
- He or she is acting in response to a genuine emergency and it is unsafe or impracticable for him / her to cease driving to make the call.

Note: You can still be personally prosecuted for failing to drive without due care and attention, or for dangerous driving.

Employees / personnel are instructed not to contact colleagues or business contacts who may be driving at the time. Distracting a driver is dangerous. If you ring, you may cause an accident.

- For your own safety and that of other road users, whilst driving, employees / personnel are expected to switch off their mobile phone and use voicemail or divert calls so that messages can be left.
- Employees are required to keep in regular contact with the office by finding a safe place to park to make a call or receive messages.
- Use a message service and take regular breaks.

Any breach(es) of the above will be treated as a serious breach of company rules and may be treated as a disciplinary matter.

Fines and Charges.

Parking Notices

- Where a parking fine has been issued while on company business a view will be taken as to the circumstances of the penalty, where there is a reasonable situation for the charge then the company will pay the fine. The person responsible for the vehicle when the fine was issued must inform MJL management within 24hrs, if the charge has been increased after 14 days due to the driver not informing their manager then the employee will be responsible for the total cost.
- Where a parking fine has been issued outside of company business or through careless parking then the employee will be responsible for the entire cost of the penalty (deducted through salary)
- Costs associated with either the clamping or removal of a company vehicle (i.e. parking on a red route) will be recovered from the employee, this will be viewed upon as gross misconduct.

Toll Costs

- It is the responsibility of the driver to ensure that any toll costs are paid either during the journey or usually by midnight of the following day. This cost can then be reimbursed through the MJL expenses claim system.
- The company do hold accounts with some chargeable road use (such as the Congestion Charge), it is the responsibility of the driver to check the status of any expected toll use.



Traffic Offences (i.e. Speeding / Traffic Signals / Bus Lanes)

- Any fine received for contravention of the 'Highways Act' will be recovered from the employee driving the vehicle at the time, where evidence of the person driving is required then the company will co-operate with the police in providing relevant documentation, including driving license.
- Complaints received from the public or authorities regarding poor driving or company representation will be taken seriously and if the company name is brought into disrepute MJL will see this a gross misconduct and deal with accordingly.

Driver Safety Checklist.

		Yes	No
1.	Has the employee's / person's driving licence been checked in the last twelve months?	<input type="checkbox"/>	<input type="checkbox"/>
2.	If No to Item 1, will it be checked before they can use a company vehicle or to use their own to drive on business (in case of disqualification)?	<input type="checkbox"/>	<input type="checkbox"/>
3.	Has the employee / person been told that it is their responsibility to be familiar with a company vehicle before using it for the first time?	<input type="checkbox"/>	<input type="checkbox"/>
4.	Has the employee / person been reminded of the importance of making basic vehicle checks before beginning their journey?	<input type="checkbox"/>	<input type="checkbox"/>
5.	Has the employee / person been instructed to report any vehicle defects that they may find?	<input type="checkbox"/>	<input type="checkbox"/>
6.	Has the employee / person been instructed not to use a hand-held mobile phone whilst driving?	<input type="checkbox"/>	<input type="checkbox"/>
7.	Is the employee / person aware of the legal penalties of using a hand-held mobile phone whilst driving?	<input type="checkbox"/>	<input type="checkbox"/>
8.	Has the employee / person been instructed to report details of any accident that they may be involved into their manager?	<input type="checkbox"/>	<input type="checkbox"/>
9.	Has the employee / person been instructed on their legal responsibilities in the event of an accident?	<input type="checkbox"/>	<input type="checkbox"/>



10. Has the employee / person been instructed on what to do if they break Down?
11. For those drivers that regularly drive long distances have they advised MJL of any family history of DVT, or if they have ever experienced problems with blood clotting

Employee: _____ **Date:** _____

Print Name: _____

Manager: _____ **Date:** _____

Print Name: _____

Note: A copy of this checklist should be kept for at least three years.