



**Shropshire, Telford
and Wrekin**
Clinical Commissioning Group

Safe Driving at Work Policy

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The formally approved version of this document is that held on the NHS Shropshire, Telford and Wrekin CCG website:

www.shropshiretelfordandwrekinccg.nhs.uk

Printed copies or those saved electronically must be checked to ensure they match the current online version.

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1 Introduction

HSE Guidelines 'Driving at Work', state that "*health and safety law applies to on-the-road work activities as to all work activities and the risks should be effectively managed within a health and safety system*".

Therefore NHS Shropshire, Telford and Wrekin (STW CCG) has a legal duty under the Health and Safety at Work etc. Act 1974 to manage the risks (as far as reasonably practicable) to the health, safety and welfare of those who need to drive as part of their job or while they are engaged in work activities.

The Management of Health and Safety at Work Regulations 1999 also apply and require that a risk assessment is undertaken of any significant risks and that effective management controls are put in place and implemented. When considering driving safety there are a number of road traffic laws to also take into account, these include:-

- The Road Traffic Act 1988 as amended 1991
- Road Safety Act 2006
- The Road Traffic Regulation Act 1984;

2 Purpose

This policy is intended to enable and support line managers and employees within the CCG to comply with appropriate legislation and the CCG's Health and Safety Policy, and the Employee Expenses Policy and Procedure, for the use of vehicles driven by employees whilst on CCG business.

3 Responsibilities

3.1 The Accountable Officer

The Accountable Officer has overall accountability and responsibility for all matters involving health, safety, welfare and fire appertaining to STW CCG; it is also the responsibility of all Heads of Service and Managers to manage health and safety issues within their functional area.

3.2 Executive Directors and Deputy Directors

Overall and final responsibility for health and safety performance, and legal compliance lies with the Executive Team who will receive and review regular reports on progress.

3.3 Line Managers

- Have a duty of care towards employees under their control and to ensure that this procedure is implemented and complied with on a day-to-day basis. They are responsible for bringing this procedure to the attention of all employees within their department who are likely to drive

for business purposes and for ensuring that employees comply with its obligations;

- Shall (where appropriate) undertake annual checks of vehicle documents to monitor compliance of staff who use their own vehicle for work;
- Shall be involved with the monitoring, reporting and investigation of any work related accident involving an employee whilst driving at work;
- Ensure an assessment of all risks, including risks not associated with the driving, e.g. manual handling, lone working etc. are undertaken. This will include the carriage of any goods for work related business.

3.4 All Staff

- Ensure that their vehicle is fit for purpose i.e. that the vehicle does not have any faults, which make it unsafe and is in a roadworthy condition;
- Drive at all times in a competent way, observing all traffic laws including the speed limits and rules on alcohol and drugs;
- Notify the CCG of any accident or collision they are involved in whilst on CCG business, and to assist where required with any subsequent investigation as to the cause of such occurrence: employees must also complete an accident/incident report;
- Inform their line manager of any prosecutions, licence restrictions or withdrawals or any health problems which may affect their ability to drive whilst on CCG business;
- Ensure they have a valid driving licence, insurance policy, MOT certificate (if applicable) and vehicle tax;
- Present their driving licence, Insurance documentation and MOT certificate (where applicable), to their employer for inspection on request;
- Report any medical condition in accordance with the medical rules for driving as set out by the DVLA;

3.5 Committees and Groups

- Any issues or concerns regarding Driving at Work can be fed back to the Audit Committee

4 Procedures / Processes

Risk Assessment for Driving while on CCG Business

An assessment of the risks for those driving on CCG business should be carried out. The importance of the journey versus the risks of car travel should be

assessed and reasonably practicable control measures put in place. Risk factors such as time of year, distance to be travelled, weather conditions, location, access to roadside assistance should be considered. Where relevant, additional risk factors such as fatigue, ergonomics and manual handling should also be taken into consideration. Control measures such as the maximum hours to be driven per day and the need for adequate rest breaks should be detailed in the risk assessment. Risk assessment forms can be located on the CCG Intranet.

It is accepted that a specific assessment would not normally be required for journeys of less than 4 hours.

4.1 General Arrangements

Before embarking on any journey, drivers should always carry out basic vehicle checks to ensure the vehicles roadworthy condition. Drivers should ensure that sufficient breaks are built-in to prevent fatigue and allow for any bad weather or traffic congestion. Radio traffic bulletins on vehicle radios can often provide early warning of worsening traffic or weather conditions to allow alternative routes to be selected.

All drivers should familiarise themselves with any updates that may be periodically issued on road safety matters. These will include information on good practice as well as any forthcoming legal changes which affect those who drive for work.

4.2 Vehicles Used for CCG Business

Employees who drive their own vehicles on behalf of the CCG are expected to ensure that their vehicles are roadworthy and serviced at the manufacturers recommended intervals. They must ensure they have valid Vehicle Tax. In addition if the vehicle is more than three years old they must ensure that any vehicle used for work has a valid M.O.T. Certificate.

4.3 Licenses and Document Disclosure

All drivers must ensure they have a valid license (photo licence valid for 10 years). All employees who are driving for work purposes are required to produce their licence for inspection when taking up their post or when taking a lease car scheme. Staff claiming mileage expenses will also be required to produce valid driving licenses on a regular basis. It is the responsibility of individual drivers to inform their line managers immediately if for any reason they have their license removed.

4.4 Insurance

Employees who drive for business purposes, which means anyone who claims for motoring travel expenses, must be covered by an insurance policy which permits the driver to drive a vehicle for 'business use' and not 'social, domestic and travel to and from their usual place of work' only. Any person not holding this level of insurance cover is not insured to drive on CCG business and hence should not be allowed to drive on CCG business. It is the responsibility of line managers to ensure the correct insurance is in place before the journey is made.

4.5 Seat Belts

All drivers and passengers must wear the seat belts provided in vehicles at all times.

4.6 Use of Mobile Phones in Vehicles

Since 1 December 2003 it has been illegal for drivers to use a hand held mobile phone when driving. Those found guilty will face a fine of up to £1,000 and penalty points for each offence.

It should be noted that under the legislation the definition of driving INCLUDES using a hand-held mobile phone when the vehicle is stationary with the engine running on a Public Road.

The CCG prohibits the driver from using any mobile communication systems whilst driving unless the mobile system can be activated totally hands free. To be totally hands free there must be no need to take either of your hands off the steering wheel

Although hands free can be used when driving it is important to consider if the road conditions are such that it is safe to do so. If the police think you're distracted and not in control of your vehicle you could still get stopped and penalised.

If you have a passenger, let them make or answer the call for you or you are driving alone, set the voice message facility to take the call for you; If you need to make a call, find a safe place to stop, do so and turn the engine off, before making the call;

Work related conference calls or other such meeting are **not** permitted whilst driving under any circumstances. Any person chairing such meeting, if they suspect any participant is driving, must instruct the driver to terminate the call immediately.

The use of smart phones, tablets for reading and responding to e-mails is also prohibited whilst the car engine is switched on.

4.7 Drivers Health

The safety of any driver is affected by eyesight defects and all drivers have a legal duty to satisfy the eyesight requirements set by the DVLA.

No employee should drive at work under any circumstances which affect their ability to drive safely. It is the duty of any employee who is required to drive on CCG business to inform their Line Manager if they are suffering from any illness or health condition which impairs their ability to drive or if they are required to take

medicine that might affect their judgement. No employee should drive at work when they are under the influence of alcohol or drugs.

Journeys should not be undertaken if a driver feels unwell, where the condition might affect their driving ability and judgement. Appropriate medical advice should always be sought before returning to drive after an operation or severe illness. Drivers should also remember that some prescription drugs or pharmacy purchased remedies can cause drowsiness and affect their ability to drive safely. In the event that any type of medication is necessary, and there is a possibility that it may cause effects such as drowsiness, employees should check with their GP or Pharmacist before driving, even for short distances.

Drivers also have an individual responsibility to report any medical condition diagnosed by a Registered Medical Practitioner which might adversely affect their ability to drive safely to the DVLA (as advised), and to their manager.

4.8 Work Day Duration when Travelling Long Distances

Working long hours which includes driving long distances can increase the possibility of accidents. This is especially so in poor driving conditions such as those caused by adverse weather conditions.

When attending meetings, training sessions etc. which involve driving, overnight accommodation should be made available through discussions with their line manager if the total of travel time and working day is deemed excessive.

When driving long distances all drivers should take a rest of 15 minutes after driving continuously for two hours.

4.9 Reporting

All accidents, incidents and near misses(e.g. near accident) involving any person driving on CCG business must be reported via the CCG's Incident Reporting System and to the driver's line manager.

5 Related Documents

The Safe Driving at Work Policy is supported by a number of other operational policies/procedures that provide more detailed guidance on certain aspects of health and safety. These documents do not supersede this policy but should be read in conjunction with it. These documents are all available on the CCG Staff intranet.

A list of supporting policies/procedures are:

- Health and Safety Policy
- First Aid Policy
- Health and Wellbeing Management Policy

- Incident Reporting Procedure
- Lone Working Policy
- Security Policy
- Agile Working Policy
- Commissioning Policies related to the management of Diabetes

6 Dissemination

These guidelines will be disseminated by the following methods:

- Directors – to disseminate within their areas
- Staff - via News Flash bulletin / article
- Published to the Website
- Awareness raising by the Health Safety Fire & Security Officer

7 Advice and Training

7.1 Advice

Mark Jump Health & Safety (Fire) and Security Manager – 07771996217

Sarah Hunter – Health and Safety (Fire) and Security Officer – 07919303749

7.2 Training

n/a

8 Review and Compliance Monitoring

8.1 Review

This policy will be reviewed at least every two years or more often if required in the light of good practice or experience.

8.2 Compliance Monitoring

Trends in incidents whilst driving at work will be monitored by the Audit Committee.

9 Fraud Bribery and Corruption

9.1 Claiming for expenses when not correctly insured could result in fraud investigation/prosecution/disciplinary action including referral to professional bodies. This also includes continuing to claim for expenses when driving licence has expired.

9.2 Unfortunately fraud, bribery and corruption, as well as theft, does occur throughout the NHS, and as such all NHS employees have a duty to ensure that public funds are protected. The CCG is committed to reducing the level of fraud, bribery and corruption (economic crime) within the NHS to an absolute minimum and keeping it at that level, freeing up public resources for better patient care.

- 9.3** If an employee, manager or volunteer suspects that there has been a potential act of fraud, bribery or corruption against the CCG or the wider NHS, or has seen any suspicious acts or events, they must report the matter to the CCG's Counter Fraud Team (contact details can be found on the CCG's public website) or report the matter to the NHS Fraud and Corruption Reporting Line on 0800 028 4060. Alternatively reports can be made through the online reporting tool at <https://cfa.nhs.uk/reportfraud>. Further advice on counter fraud issues is available from the Executive Director of Finance, Deputy Executive Director of Finance/Fraud Champion and the CCG's Counter Fraud Team.

CCG Counter Fraud Contact details:

Paul Westwood (Heads CW Audit's Counter Fraud Team and is the CCG's nominated Local Counter Fraud Specialist)

Tel: 07545 502400

Email: paul.westwood@cwaudit.org.uk

Email: pwestwood@nhs.net (secure)

10 Counter Fraud

- 10.1** This policy should be read in conjunction with the CCG's policies covering counter fraud, bribery and corruption which can be found on the CCG's website (www.shropshiretelfordandwrekinccg.nhs.uk) or you can contact a member of the Team who will be able to supply a copy.

11 References

- The Health and Safety at Work etc. Act 1974;
- Management of Health and Safety at Work Regulations 1999;
- The Highway Code: <https://www.gov.uk/browse/driving/highway-code>;
- HSE INDG 382 - Driving at Work, Managing Work related road safety: <http://www.hse.gov.uk/pubns/indg382.pdf>;
- Five Steps to Risk Assessment Leaflet INDG163 (Rev 3): <http://www.hse.gov.uk/pubns/indg163.pdf>;
- Royal Society for the Prevention of Accidents - Managing Occupational Road Risk: http://www.rospa.com/roadsafety/info/morr_sme.pdf

12 Glossary

Term / Abbreviation	Explanation / Definition
Driving for work	refers to any work carried out on CCG business that involves the employee in time spent driving a vehicle and covers all journeys other than to and from their normal

	place of work.
Vehicle	any motorised vehicle whose design is subject to regulation by the Road Traffic Act
Driver	any person in charge of or in control of a vehicle
Private Vehicle/ Grey Fleet	a vehicle not owned by or leased to the CCG but which is the property of an individual or a third party which is in use by a member of staff whilst travelling for company business, for example, to attend meetings at other sites authorised by the CCG.
Public Road	Public road (as defined by the Highway Code) means a highway or any other road to which the public has access; this includes many roadways and car parks on private land.
Roadworthy	Roadworthy means that the vehicle is fully fit for task and that it complies with all legislation relating to driving of vehicles on the public road.