

DRIVING AT WORK PROCEDURE NOTE

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CONTENTS

	Page
1. INTRODUCTION	3
2. APPLICATION OF LEGISLATION	3
3. AUTHORISATION TO DRIVE, LICENCE CHECKS AND USE OF VEHICLES	6
4. DRIVING POLICIES	9
5. DRIVING	12
6. ACCIDENTS AND DAMAGE	14
7. SERVICING AND MAINTENANCE	16
APPENDICES	
1. DRIVING AUTHORISATION AND DECLARATION	17
2. REQUEST FOR APPROVAL TO TAKE A COUNCIL VEHICLE HOME	19
3. OPERATING PROCEDURES FOR THE VEHICLE MANAGEMENT SYSTEM	21
4. ACCIDENT REPORTING PROCESS MAP	24
5. DRIVERS' HOURS SUMMARY	25

1. INTRODUCTION

This procedure note, which forms an integral part of the council's Driving at Work Policy and complements the Occupational Health and Safety Policy, sets out the preparations West Lothian Council will make to ensure the effective implementation of its Driving at Work Policy and includes advice to all employees who are required to drive both fleet and non-fleet vehicles on council business.

This procedure covers both vocational and non-vocational drivers however it is important to differentiate between the two and consider that some content may be more relevant to employees where driving is the main duty of their role. A separate Green Transport Procedure Note has been prepared for drivers of the pool vehicle fleet.

A Driver Handbook is available as a quick reference for those employees who drive fleet vehicles - the guidance it contains is also useful for private car drivers. Driver handbooks can be found in all fleet vehicles.

This document also represents the council's Management of Occupational Road Risk Policy and sets the council's general objectives in relation to the safe use of motor vehicles used in the course of council business.

2. APPLICATION OF LEGISLATION

2.1 Driver's Checks

In line with the Road Vehicles (Construction and Use) Regulations and the Road Vehicles Lighting Regulations and the drivers responsibility for 'ensuring that the vehicle is in a roadworthy condition at all times', drivers must complete a vehicle check before and after use or when another driver drives the vehicle. In the event of any defects being found that haven't been previously reported an assumption will be made that the last driver was responsible for the damage.

The vehicle check should include:

- External condition of the vehicle ensuring in particular that the lights, tyres, wheel fixings, bodywork, load and trailer, trailer coupling, ancillary equipment if applicable are serviceable. A comprehensive list of what should be checked is attached to the vehicle logbook.
- Identified defects must be reported using the vehicle defecting reporting system and procedures.
- Nil defects must also be recorded using the documentation provided in the vehicle.
- Some services may require additional vehicle and equipment safety checks. These will be identified to drivers by their supervisors, along with any written records that are required to be maintained.
- Training on carrying out vehicle safety checks is available from Fleet Services or service driver trainers for all classes of vehicle operated.

Any defects should be reported immediately to Fleet Services and to the driver's line manager. Where the vehicle is still in a roadworthy condition it should be delivered to Deans Depot for inspection and repair. If there are no defects "NIL DEFECTS" should be recorded in the logbook as a record that the check has been completed. Drivers of

pool vehicles should refer to the Green Transport Procedure Note for separate information on pool car defect reporting.

Spot checks will be undertaken by Fleet Services within each service to ensure all logbooks are being completed by drivers and signed off by supervisors. Due to the nature of the pool vehicle system pool car logbooks do not require a supervisor signature.

Completed logbooks for all council vehicles other than pool cars should be kept by supervisors for a period of fifteen months to ensure compliance with DVSA regulations. Pool car logbooks should be kept by the local admin office or by the supervisor of the individual who has sole use of the vehicle for the same period.

2.2 Highway Code

The council requires all employees driving during the course of their work to comply with road traffic legislation and all conditions of the Highway Code. It is the driver's responsibility to be familiar with the contents of the Highway Code.

2.3 Drivers Hours

Depending on the size, type and operations of the vehicle an employee is required to drive, there may be legislation governing the amount of time an individual can legally drive the vehicle. This legislation will be set out in either 'Domestic Rules' or 'EU Rules' albeit some of the activities undertaken by the Council are exempt. Service Managers will advise drivers whether or not the activities undertaken are exempt from recording driver's hours. Further details can be found in Appendix 5, or obtained from Fleet Services.

Vehicles Over 3,500kg Gross Vehicle Weight (GVW) - Covered by EU Rules and some may be fitted with tachographs. If a vehicle is fitted with a tachograph, the driver must use the tachograph to record driving activities.

Vehicles Under 3,500kg GVW - Covered by Domestic rules. The GVW must include the weight of any trailer being towed by the vehicle.

Minibuses - EU Rules apply if the minibus is being used out with the United Kingdom. Domestic Rules apply if it is the driver's primary function to drive a minibus.

If unsure whether or not a vehicle and/or activity is covered by drivers' hours legislation, drivers should contact their Line Manager who can clarify the situation with Fleet Services if required.

2.4 Vehicle Loading

Drivers are in direct charge of the vehicle and as such, arrangements for loading and securing the vehicle are the driver's legal responsibility. It is illegal to take a vehicle on the road with an insecure load. The Road Vehicles (Construction and Use) Regulations and the Motor Vehicle (Driving Licences) Regulations clearly state that vehicles must at all times be maintained and used in a condition "such that no danger is caused to any person in or on the vehicle or trailers or on the road".

All loads carried must be adequately secured so that they do not move or fall off causing a danger either to the driver or to other road users. This applies to all vehicles

whether they have an enclosed load area such as a panel van or an open back vehicle such as a pick up.

Loose objects or materials etc. either rolling around in the back of, or falling/blowing from, vehicles may not always be a danger but they are likely to be a nuisance. It may be an offence if the load being carried causes, or is likely to cause, danger or nuisance to people in the vicinity. Similarly, any materials or equipment inside the cab of the vehicle, must not present a hazard to the driver or any passengers.

The overall load being carried must be within the acceptable load allowed for that vehicle including any laden trailer being towed by the vehicle. An overloaded vehicle may create a hazard that could result in injury to the driver and other road users and may cause damage to a third party vehicle. An overloaded vehicle may also be issued with a prohibition notice by the Police and/or VOSA and the individual driver may also be charged. Drivers should contact their Line Manager if they feel that the load being carried is unsuitable for the type of vehicle.

2.5 Towing Trailers

Drivers must ensure they have the appropriate licence category before towing. When towing trailers or any other towed item (e.g. traffic lights, mobile compressors, welfare units etc.) drivers must be aware of the vehicle and/or trailer combined weight. The gross trailer weight should be added to the gross vehicle weight in order to determine the category of driving licence requirement.

General Road Requirement for Trailers:

- Each trailer must have fitted on the rear facing surface, a red triangle, one on the near side and one on the offside.
- Trailer towing boards must have a red reflector triangle fitted on the near side and offside
- Trailer boards must carry the same number plate as the towing vehicle. A yellow reflective number plate must be used.
- Trailer tyres must meet the legal requirements in tread depth, be free of defects such as cuts, bulges in wall, bald patches and must be at the correct pressure.
- The trailer must always be in a roadworthy condition, i.e.:
 - Bodywork in good repair.
 - Lights in working order.
 - Tyres must meet legal requirements.
 - Wheel nuts properly torqued.
 - Brakes effective when used.
 - Towing bar and hitch in good condition.
 - Breakaway cable (if fitted) in good repair.

If the towing hitch is of the combination type of ball/pin i.e. 50mm ball mounted on top of the pin then the breakaway cable must be mounted/attached to the tow bar of the vehicle.

2.6 Traffic Violations and Fines

If a driver of a council vehicle is involved in any traffic or parking offence, the driver must report it immediately to their Line Manager. Where the Police or Department of Transport have been in attendance, the incident must be reported to Fleet Services. Any fine or licence endorsements arising from such incidents are the responsibility of

the driver. West Lothian Council accepts no responsibility for any fines or other endorsements incurred.

2.7 Police Requests for Documentation

The Police may, after a traffic incident, during a spot check, or following an accident request that a driver of a council vehicle produce documentation for inspection, e.g. Insurance, MOT, Operators Licence, Driving Licence, etc.

Drivers **must** notify their Line Manager who will obtain the relevant documentation from Fleet Services. These documents **must** be produced within the timescales indicated. Production of the required Driving Licence is the personal responsibility of the driver.

3. AUTHORISATION TO DRIVE, LICENCE CHECKS AND USE OF VEHICLES

3.1 Driving Authorisation

All employees, who drive a council vehicle, must on an annual basis be authorised to drive by their manager. It is the responsibility of all employees driving at work to be in possession of a full and valid driving licence which covers the class of vehicle being driven on council business. The manager must ensure that:

- The employee has a current driving licence appropriate to the type of vehicle to be driven and licence checks are completed on an annual basis;
- The employee has no driving convictions which would prevent him/her from driving at work; and
- The employee does not have a medical condition that impacts on their ability to drive at work.

Council Vehicles

Drivers of council vehicles are required to complete an Driving Authorisation and Declaration on an annual basis (see Appendix 1). This form is available as part of the council's Driving at Work Policy and forms part of the annual licence check process. It is the driver's responsibility to ensure no unauthorised driver is permitted to operate or drive a council vehicle, in their charge. The driver is responsible for reporting any such misuse immediately to their line manager.

Any employee who is required to drive a council vehicle as part of their normal duties must indicate if they have held a full drivers licence for less than one year. A full driving assessment will be required by a council driving assessor before authorisation to drive a council vehicle is given. This includes pool vehicle drivers. Contact Fleet Services for more information.

Service specific driver assessment programmes should be maintained by appropriate service representatives to ensure particular driving requirements and standards unique to that service are met by all drivers.

Personal Vehicles

Employees may use their own vehicle with agreement from their line manager where appropriate. An Own Vehicle Use Authorisation Form must be completed and signed

by the relevant Head of Service before an employee uses their vehicle for business use. Employees must ensure they have appropriate business use insurance cover, and that their vehicle has a current MOT certificate (for vehicles over three years old). Relevant documentation must be presented to and checked by Line Managers before personal vehicles are used and then re-presented annually thereafter as part of the annual licence check.

Further details on the use of personal vehicles can be found in the Green Transport Procedure Note.

3.2 LGV/PCV Licences

It is the responsibility of employees who require a vocational entitlement Large Goods Vehicle (LGV) or Passenger Carrying Vehicle (PCV) licence to ensure that their licence remains valid. Where such entitlement expiry date has been allowed to lapse, driving such vehicles is strictly prohibited and must be brought to the attention of the employee's line manager immediately.

The Driver CPC Regulation applies to new drivers acquiring PCV licence from September 2008 and for LGV licence from September 2009. Those who already hold a vocational licence on these dates will be given acquired rights for initial qualification, however all drivers with either or both these entitlements must complete 35 hours periodic training over a five year period. This will be monitored within each service.

Employees who drive LGVs on behalf of the council are responsible for ensuring their statutory CPC requirement is current and must notify their line manager three months prior to expiry. LGV drivers without current CPC certification must not drive a Council vehicle above 3,500Kg and must inform their line manager immediately.

Holders of Group 2 licences must undergo a D4 medical at the age of 45 and then every five years thereafter. It is the responsibility of the employee to have the medical undertaken by their GP. Those employees who acquired C1 or D1 entitlement through grandfather rights (pre 1 January 1997) are normally exempt from medical checks however council policy states that all drivers, regardless of when Group 2 licence entitlement was obtained undergo a medical.

3.3 Licence Endorsements

If at any time an employee's licence is endorsed or they become disqualified from driving, employees must immediately inform their Line Manager. Where endorsements are shown on a licence, it may be necessary to consider the number of endorsements and their seriousness so as to evaluate whether any further endorsements would render the employee unable to carry out the duties of their post. Where this is the case, the employee should be informed that any further endorsements resulting in loss of their license may put their employment at risk. However, in these circumstances, as long as the candidate holds a valid licence they are able to drive for business purposes.

Any employees returning to driving following a ban must undergo a driving assessment to ensure their suitability to return to driving for work purposes, identifying the need for any refresher training. Contact Fleet Services for more information.

3.4 Use of Council Vehicles

Council vehicles should be used in the course of council business only. This includes, where authorised, travel to and from work if the vehicle is parked at home overnight. Council vehicles must not be used for personal use or for any other purpose e.g. transporting friends, family or personal belongings, or any personal journeys.

Any unauthorised use of council vehicles may result in disciplinary action in accordance with the council's Disciplinary Procedures.

3.5 Home to Work Travel

Drivers may be permitted to take vehicles home subject to Head of Service approval where a business case (see Appendix 2) can demonstrate savings, improved productivity, customer satisfaction and service delivery or one of the following criteria is met:

1. The driver is on standby or emergency call out requiring them to respond to an event at any time of the day;
2. The driver will travel straight to/from their first/last on-site job each day and will not visit their normal work base or depot first.

The following vehicles cannot be taken home:

- Vehicles over 3,500kg GVW;
- Vehicles covered by the council's Operator's Licence;
- Cars (including dedicated and non-dedicated pool vehicles) or vehicles classed as cars under HM Revenue and Customs (HMRC) guidelines. For further information on vehicles classed as cars please contact the Fleet Manager.

In order to comply with HMRC guidelines on taking vehicles home, the council must maintain appropriate records. All staff taking vehicles home will be required to sign an agreement regarding the vehicle's use (see Appendix 2).

3.6 Overnight Parking

All vehicles, either owned by, or hired to the council, must be garaged or parked overnight at the designated or agreed place within council premises unless permission has been given by your Line Manager to do otherwise. Where authorisation has been given for a vehicle to be taken home, the driver must ensure the vehicle is parked legally, safely and where it will not inconvenience neighbours, the general public or other road users.

If your vehicle is over 3,500kg GVW, it must be parked overnight within the operating centre recorded on the Operating Licence.

3.7 Carriage of Passengers

The only passengers allowed in council vehicles are:

- Council employees on duty or proceeding to and from duty.
- Persons engaged on work for, or on behalf of the council.
- Persons being carried in an emergency.
- Persons being transported as part of a council service.

- Other person as authorised by your Line Manager.

The number of persons to be carried within the vehicle must never exceed the designed seating capacity. No person is to be carried on the vehicle, other than in specifically designated areas.

It is the driver's legal responsibility to ensure that passengers are carried safely at all times.

It is not permitted to carry any goods in a council vehicle other than property which belongs to the council or, tools and equipment being used on behalf of the council or, as otherwise authorised by your Line Manager.

3.8 Driver Responsibilities

Employees should be aware that the way they behave during working hours reflects the image of the council. This applies equally when an employee drives a council vehicle either travelling to and from work or during the course of their duties. Therefore, it is expected that as a driver of a council vehicle, you will conduct yourself in a professional manner, showing good road manners, courtesy to pedestrians and other road users and observing speed limits and road conditions at all times.

3.9 Vehicle Cleanliness

Council vehicles should be kept clean and tidy both inside and out at all times. All equipment must be properly stowed and vehicles washed as often as required to keep them clean. This is in the interest of road safety, health and safety and to present a positive image to the public.

A vehicle wash framework is in place which covers all council vehicles. Details of where vehicles can be washed can be obtained from Line Managers or by contacting Fleet Services.

4. DRIVING POLICIES

4.1 Drug and Alcohol

The law states 'You must not drive or attempt to drive or be in charge of a vehicle when having consumed alcohol in such quantity that the proportion in the breath, blood or urine exceeds the prescribed limit' and 'You must not drive whilst under the influence of drugs or medicine'.

Furthermore, 'Employees must not attend work under the influence either of alcohol or illegal drugs as these may affect your ability to undertake their duties safely and effectively and may damage the public image of the Council'.

As a general principle, you should not take your break in licensed premises nor should council vehicles be parked in public house car parks.

In addition, any manager who suspects an employee is unfit to drive because they show evidence of being under the influence of alcohol or drugs must stop them from driving and seek further advice from HR.

4.2 Prescribed Medication and Notification of Illness

All drivers must always ensure that they are fit to drive. If you develop a health condition or are required to take any form of medication, you must check with your doctor or Pharmacist whether or not the health condition or medication is likely to affect your ability to drive. If so, you must notify your Line Manager immediately so that alternative arrangements may be made. You must also notify the DVLA.

4.3 Eyesight

All drivers must be able to satisfy the eyesight requirements set out in the Highway Code (rule 92). The minimum eyesight requirement is for a driver to be able to read a standard vehicle number plate, in good daylight, from a distance of 20 metres (or 20.5 metres where the old style number plate is used). If you need glasses or contact lenses to do this, you must wear them at all times when driving. The Police have the power to require a driver to undertake an eyesight test.

Drivers are encouraged to have their eyes tested at least every two years, or more often if advised by an ophthalmologist, to ensure that they meet the minimum legal eyesight standards. If you suffer from an eyesight condition which worsens and you cannot read a number plate from the distances noted above or you lose any of your field of vision you must inform your line manager and the DVLA.

4.4 Mobile Phones

On 1 December 2003 it became an offence under the Road Vehicles (Construction and Use) Regulations 1986 to use a hand held mobile phone while driving a vehicle. It is also an offence for an employer to encourage or permit employees to use hand held mobile phones while driving.

The following instructions therefore apply to all council employees who drive vehicles in the course of their work and are noted in the council's policy on the Use of Mobile Phones:-

- Do not use a mobile phone whilst driving. This includes making or answering calls. Driving includes waiting at traffic lights or in any other queue etc. The mobile phone must be switched off and diverted to a recording system, if available.
- Do not carry out any mobile phone related activity whilst driving. This includes looking up numbers, taking notes, checking transmission stations, etc.
- If the mobile phone has been left switched on and an incoming call arrives whilst you are driving **do not** answer. The caller can either leave a message on a recording system or can call back. Do not attempt to take numbers or notes from a mobile phone display screen whilst driving.
- When a mobile phone is to be used the driver must wait until they have parked in an appropriate place.
- If you have a passenger, then that person may receive or make phone calls on behalf of the driver.
- Whilst it is not illegal to use hands-free phones it can be a distraction. Drivers will face the same penalties as using a hand held phone if the police believe you're not in proper control of your vehicle.
- Because of the legal duty imposed on the council as an employer, failure to comply with these instructions will be treated as a disciplinary matter.

4.5 Smoking

In line with the council's Smoke Free Policy, smoking or the use of e-cigarettes is not permitted in any council vehicle. This extends to vehicles provided by employees during council business when they have a work colleague as a passenger. This policy, applies to all employees and 'others' (consultants, contractors, customers or members of the public and visitors).

If an employee fails to comply with the Smoke Free Policy then the matter will be investigated under the council's Disciplinary Procedures and may result in disciplinary action. Employees who do not comply with the smoking law should be aware that they are liable to a fixed penalty fine and possible criminal prosecution.

All council owned vehicles, or vehicles hired by the council must have the prescribed legal notice displayed to indicate that smoking is not permitted in the vehicle.

4.6 Seat Belts

All drivers, and anyone in a vehicle where seatbelts have been fitted, must wear a seatbelt, unless the operation of the vehicle is exempt or the driver holds a medical exemption certificate. It is the responsibility of the driver, but also the duty of any council employee, to encourage anyone in a vehicle used for West Lothian Council business to wear a seatbelt or restraint (it is the passengers' responsibility to comply with the law in this respect).

Drivers must ensure that any passengers with a disability are wearing the appropriate seatbelt or restraint.

Where children under 12 years of age are carried on council business, the following applies:

- All children under three years must use a car seat or booster appropriate for their weight in any vehicle. If there is no seatbelt, they cannot travel.
- Children aged three years and over up to 1.35 metres in height (or 12th birthday, whichever comes first) must use the correct child restraint.
- A rear-facing baby seat **must not** be fitted into a seat protected by an active frontal airbag.
- Children under 15 months should be carried in a rear facing car seat.
- The driver is liable for prosecution if a child under 14 years does not wear a seat belt.

Only in exceptional or emergency circumstances would there be any exemptions to these rules, which are:

- Children in licensed taxis or hire cars if an appropriate child restraint is not available, and in police or security or emergency service vehicles;
- A child aged three and over who, because of an unexpected necessity, is travelling over a short distance in a passenger car or light goods vehicle where there is no appropriate child restraint;
- A child aged three or more riding in the rear of a vehicle with two other children in child restraints where there is no room for a third child restraint;
- A disabled child who needs to use a disabled seat belt where none is available;
- Children under 14 travelling in large buses or coaches
- Children under three travelling in small buses

- Children aged three and over but under 14 travelling in the rear of a small bus if there is no child restraint available; they must then wear an adult belt if there is one available

It is the responsibility of the driver to ensure that child seats or boosters are correctly fitted.

4.7 Telematics

To improve the health and safety of employees and overall vehicle utilisation and management, vehicles may be fitted with telematics systems such as on-board weighing systems, C.C.T.V camera recording systems and tracking systems. The on-board weighing system should be used at all times to ensure no overloading incidents occur. The camera system shall be used as part of health & safety at work monitoring systems.

Tampering with the tracking equipment will be clearly identifiable both in the vehicle and/or by reports. The unit continues to record even when attempts have been made to deactivate the mobile collection unit and information will be accessed once the unit is reporting again. Deliberate attempts to disable the tracker unit or any of its components will be investigated in accordance with the council's Disciplinary Procedures and may result in disciplinary action.

Operating procedures and protocols have been developed to cover the use of the telematics tracking system and the data held within the system. See Appendix 3.

All employees who drive council vehicles will be issued with an individual driver fob. It is the employee's responsibility to ensure they keep their fob safe and use it every time they drive a council vehicle. Line managers can request new or replacement fobs by emailing the name of the employee and the employee number to trackyouadmin@westlothian.gov.uk.

4.8 Declaration

All employees will be asked to sign an annual declaration as part of the Driving Authorisation and Declaration stating that they are medically fit to drive on council business and understand the details laid out in this policy. This will be done as part of the annual licence check process.

All completed declarations must be held by Line Managers as part of compliance records.

5. DRIVING

5.1 Starting up

Before you start the engine, you must always check that your seat and seat belt are correctly adjusted and comfortable and your driving mirrors are correctly positioned. Make sure that the handbrake is on and the gear lever is in neutral. All windows should be clear of snow, ice or mist.

5.2 Driving

Always be aware of what is happening around you; anticipate the actions of other drivers and stay in control at all times

In slow moving or stationary traffic, leave sufficient space between you and the vehicle in front so that if they were to stall or break down, you could pass with moderate amounts of steering and without using reverse gear. More importantly, if a vehicle fails to stop and hits you from behind, it will not shunt you into the car in front. When stationary in traffic, you should not have your steering wheel turned towards oncoming traffic so that if hit from behind, you will not be shunted into the path of oncoming traffic.

In faster moving traffic, you should always use the 'two second rule' to maintain a safe distance from the vehicle in front; as the vehicle in front passes an identifiable point, it should take you at least two seconds to pass the same point. In traffic travelling in excess of 40mph, this gap should be increased to three seconds.

The brakes should be used to reduce speed and not the gearbox. Changing into a lower gear to slow down is not a good idea. Your brake lights do not come on and the driver who is behind you gets no warning of your reduction in speed.

Reversing should be avoided if possible and distances kept to a minimum. Where possible a trained banksperson or reversing assistance should be used.

5.3 Adverse weather

5.3.1 Rain

In wet weather the windscreen wipers should be used to clear the windscreen of rain and spray from other vehicles.

While driving on roads with standing water the tyres can lose contact with the road surface resulting in a loss of steering control; known as 'aquaplaning'. If you experience aquaplaning, hold the steering wheel lightly and ease off the accelerator until the tyres regain grip

Driving through standing water at speed can result in water being thrown onto pavements, soaking pedestrians or cyclists. You could face a fine with the extra punishment of penalty points if the Police believe you were driving without reasonable consideration to other road users.

5.3.2 Snow and Ice

It is important that drivers take great care before setting out on a journey and ensure that the vehicle is equipped for conditions that may arise.

Before you set off you must clear all snow and ice from the windows, lights, roof and number plate. Check that windscreen washers have sufficient anti-freeze and ensure that tyre pressures are correct and that tyre tread has plenty of depth.

Check your grip on the road surface by choosing a safe place to brake gently. If the steering feels unresponsive, this may indicate the road surface is icy and your vehicle may lose grip. When travelling on ice, tyres make virtually no noise.

Drive with care even if roads have been gritted and keep well back from the vehicle in front. Care should be taken particularly on bends and avoid sudden steering manoeuvres. Use as high a gear as possible and accelerate and brake gently.

Watch out for snowploughs, which may throw out snow on either side and do not overtake them unless the lane you intend to use has been cleared.

5.3.3 Fog

If you encounter fog reduce your speed accordingly. You must use your headlights and front fog lights, if fitted, when visibility is less than 100 metres. You must also use rear fog lights but must switch them off when visibility improves. Keep well back from the vehicle in front and use windscreen wipers and de-misters.

Check your mirror before you slow down and then use your brakes to warn drivers behind you that you are slowing down.

Stop in the correct position at a junction and listen for traffic. When you are sure it is safe to emerge, do so positively and do not hesitate and stop in a position that puts you directly in the path of approaching vehicles.

5.3.4 Heat

Hot weather poses problems for the car and its occupants. When caught in a traffic jam during high temperatures the driver and passengers may begin to suffer the effects of dehydration, such as tiredness, irritability and headaches. Take regular breaks to avoid fatigue and dehydration. In extreme cases, hot sunshine can melt the road surface and make it slippery, which could cause skidding. After a long dry period, rain mixes with accumulated dust, oil and tyre rubber to produce a greasy road surface.

5.3.5 Vision

Particularly during autumn and winter, dazzle from low sun can be a problem. Vision can be improved by ensuring the windscreen is clear inside and out, and by checking windscreen wipers are in good condition.

The inside surface of the windscreen will accumulate a hazy film caused by the dashboard and other interior materials. Scratches, abrasions and chips on the outside can intensify the sun's dazzle. Keep all windows clear; if your vision is obscured a fine could be imposed.

Headlights should be used when visibility is reduced. Front and/or rear fog lights may be used in appropriate circumstances but these should be switched off once visibility improves. Fog lights dazzle other road users and can obscure your brake lights.

- Check that all light bulbs are working and the headlights are clean and aimed correctly.
- Drivers who blind other road users with their fog lights in clear conditions can be fined.
- Dirty or illegible number plates can lead to a fine under the Vehicle and Excise Registration Act.
- Windscreen washer fluid should be treated with an appropriate additive to reduce the chance of freezing in frosty weather.

- Snow should be cleared from the windscreen, vehicle roof and bonnet. Snow on the car roof can fall onto the windscreen obscuring the view and can also be a hazard to other road users. A fine and penalty points could be imposed if the Police consider your car to be a hazard to other road users.

6. ACCIDENTS AND DAMAGE

6.1 Breakdown

If a vehicle breaks down while on council business the driver should call one of the following numbers (which are also available in the Driver's Handbook):

During working hours (6am Monday - 5pm Friday inclusive, 6.45am – 10.45am Saturday)

Fleet Services – 01506 284473

Out-with working hours

FTA Breakdown Assistance (Account No. 51645) – 0800 581710

The following information should be provided to assist with recovery:

- Exact location of the vehicle
- Vehicle type
- Fleet/Registration number
- Brief description of fault
- Tyre size in the event of a puncture

Drivers and passengers should never await recovery in the vehicle and should move to a safe location, a safe distance from the vehicle and wear a high visibility jacket/vest where possible.

6.2 Accidents Involving a Third Party

If a driver is involved in an accident or a council vehicle is damaged by a third party, the driver must:

- Stop & Stay Calm
- Switch off the engine – do not smoke
- Call an ambulance and the Police if anyone is injured
- Not move an injured person
- Ask any passengers to leave the vehicle and move to a place of safety.
- Not move the vehicles unless there is a danger to other traffic or pedestrians.
- Take steps to warn other traffic of an obstruction, e.g. hazard warning lights or warning triangle.
- Record the important details about the accident and the vehicles. The 'Bump Card' provided can be used to assist.
- Provide your own name and licence number (including home address), registration number, the name of the Council and the address of your depot to any other party involved in the incident. This is a legal obligation.
- Not admit fault – liability will be decided later.

- Obtain the names and addresses of any witnesses.

6.3 Notifying the Police

Drivers must notify the Police as soon as possible, and no later than 24 hours after an incident, if it results in injury to another person. If the accident results in damage to other vehicles, trailers or property or in the death or injury of an animal, drivers are required to notify the Police within 24 hours. This becomes unnecessary if the owner of the animal, property, vehicle or trailer had been made aware of the accident and all relevant information has been exchanged.

6.4 Accident Reporting

Drivers must report all accidents or damage, whether or not there is any damage to the Council vehicle, to their Line Manager within 24 hours.

A motor vehicle claim form must be completed by the driver and submitted to the driver's line manager/supervisor. The supervisor must sign off the claim form and a copy submitted to Risk and Insurance and Fleet Management within 3 working days.

An accident reporting process map can be found in Appendix 4.

The driver's line manager must complete a post incident interview where all details of the incident will be reviewed. Line managers may conduct an investigation should the nature of the accident warrant one. Removal of driving authorisation may be removed while the investigation is being carried out.

Any employee involved in three own fault incidents within a twelve month period will be referred to Learning and Development for appropriate driver training.

6.5 Reporting to Insurance Company

Drivers are responsible for informing their own insurer that they have been involved in an accident. Any failure to notify their own insurer of an accident can result in insurance being nullified or withdrawn and in some cases criminal action being taken.

7. SERVICING AND MAINTENANCE

The annual service schedule will be managed by Fleet Services. Frequency of services will be dependent on vehicle class and annual mileage and service schedules will be sent out to service managers monthly in advance. It is the responsibility of each service to present vehicles on the agreed date. Failure to present vehicles for routine maintenance on time could result in vehicles being driven illegally and drivers could be subject to further Police or DVSA action.

Services will be contacted separately by Fleet Services to arrange MOTs.

Any defects found between service dates should be reported immediately to Fleet Services as per the defect reporting procedure. Drivers should not wait until a scheduled service before reporting defects.

Declaration (to be completed by the employee)

It is an offence for a person to drive on a road any vehicle otherwise than in accordance with a licence authorising them to drive it. It is also an offence for a person to cause or permit another person to drive it.

This is a declaration that I [print name] _____

- have produced my latest licence;
- have no pending convictions, endorsements or disqualifications;
- will inform my employer of any road traffic incidents, convictions, endorsements or disqualifications that occur, which could affect my entitlement to drive, as soon as possible.
- agree to comply with the Driving at Work policy and Green Transport Policy (where applicable) and the guidelines set out in the Driving at Work Procedure Note and Green Transport Procedure Note (where applicable);
- have had no change in my health, which could affect my entitlement to drive, in particular;

for ALL licences:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Epilepsy • Repeated attacks of sudden disabling giddiness (dizziness that prevents me from functioning normally) • Fits or blackouts • Diabetes controlled by insulin • An implanted cardiac pacemaker • An implanted cardiac defibrillator (ICD) • Persistent alcohol abuse or dependency • Persistent drug abuse or dependency • Parkinson's disease • Any condition affecting my visual field (the surrounding area I can see when looking directly ahead) • Total loss of sight in one eye • Any condition affecting both eyes, or the remaining eye only (not including short or long sight or colour blindness) | <ul style="list-style-type: none"> • Stroke, with any symptoms lasting longer than one month, recurrent 'mini strokes' or TIAs (Transient Ischaemic Attacks) • Any type of brain surgery, severe head injury involving inpatient treatment, or brain tumour • Any other chronic (long-term) neurological condition • A serious problem with memory or episodes of confusion • Severe learning disability • Serious psychiatric illness or mental ill-health • Narcolepsy or sleep apnoea syndrome • Any persistent limb problem for which my driving has to be restricted to certain types of vehicles or those with adapted controls |
|--|---|

Also for vocational licences:

- | | |
|---|--|
| <ul style="list-style-type: none"> • Angina, other heart conditions or heart operation • Diabetes controlled by tablets | <ul style="list-style-type: none"> • Visual problems affecting either eye • Any form of stroke, including TIAs (Transient Ischaemic Attacks) |
|---|--|

If any of the above affects me I will inform my employer as soon as possible. I understand that I must also inform DVLA in writing. Failure to do so is a criminal offence punishable by a fine of up to £1000 and would also constitute an act of gross misconduct with respect to the council's Code of Conduct.

Signed: _____ **Date:** _____

Driving Licence Number:

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Copies of completed Driver Declaration and Authorisation forms should be kept by Line Managers until the next annual Declaration and Authorisation is undertaken.



REQUEST FOR APPROVAL TO TAKE A COUNCIL VEHICLE HOME

Purpose

- To document the justification for council vehicles being taken home by staff.
- To ensure the correct and appropriate use of these vehicles.

Any approval given will be subject to an annual review

Guidance

Drivers are permitted to take vehicles home subject to Head of Service approval where a business case can demonstrate savings, improved productivity, customer satisfaction and service delivery or one of the following criteria is met:

1. The driver is on standby or emergency call out requiring them to respond to an event at any time of the day;
2. The driver will travel straight to/from their first/last on-site job each day and will not visit their normal work base or depot first.

The following vehicles cannot be taken home:

- Vehicles over 3,500kg GVW;
- Vehicles covered by the Council's Operator's Licence;
- Cars or vehicles classed as cars under HMRC guidelines. For further information on vehicles classed as cars please contact the Fleet Manager.

In addition, it is the drivers' responsibility to ensure that:

- The vehicle is not driven for private use or to carry unauthorised passengers.
- The vehicle when parked at the driver's home does not cause an obstruction or nuisance to their neighbours or other road users and is parked safely without risk of theft or malicious damage;
- The drivers daily check is completed and mileage records are kept for every journey.

In order to comply with HM Revenue and Customs guidelines on taking vehicles home, the council must maintain the appropriate records. All staff taking vehicles home will be required to sign an agreement regarding the vehicle's use.

Compliance with the above ensures:

- There are no implications for additional personal income tax incurred.
- The council's motor vehicle insurance policy covers the vehicle outside normal working hours.

Reason Vehicle Required to be Taken Home

(see criteria list under Guidance)

--

Estimated annual mileage (home to work)

--

Benefits expected?

Explain benefits to the service – increased productivity, cost savings etc.

--

Details of Staff Member Required to Take Vehicle Home

Name:	
Service:	
Vehicle registration:	
Address at which vehicle will be kept overnight:	
Will the vehicle be parked off-road?	Yes / No
If no, is the vehicle able to be parked safely and securely?	Yes / No

Employee Declaration

I agree to the conditions and rules set out in relation to Council vehicles going home.

Name	Signature	Date

Please retain this form as part of your compliance records.

Approval

This form requires the approval of your Head of Service

Name	Signature	Date



OPERATING PROCEDURES FOR VEHICLE MANAGEMENT SYSTEM

1. INTRODUCTION AND BACKGROUND

- 1.1 The vehicle management system permits each vehicle to be viewed via satellite and provides information, both live and historical, concerning vehicle fuel use, CO2 emissions, position, movements, travelling speed, driving incidents and operational status.
- 1.2 The information generated is accessible via the internet by authorised users. Authorised users will be nominated line managers/Service Managers with access restricted to fleet vehicles directly under their operational control. Fleet Services will have authorised user access to have internet monitoring of the whole of the vehicle fleet.
- 1.3 The council has agreed targets with the Scottish Government for reducing its CO2 emissions by 2015. It has been identified that reducing vehicle fuel usage will be a significant factor in achieving the agreed CO2 reduction targets.

2. AIMS AND OBJECTIVES

The primary aims and objectives of the system are;

- To reduce vehicle fuel usage and therefore CO2 emissions.
- Improve the safety and security of operatives, vehicles and equipment.
- To increase efficiency through providing management with information on vehicle utilisation.
- To improve customer service through quicker response to requests and complaints through the identification of vehicles closest to service requirement.
- To identify the location of fleet vehicles at any time, some examples of how this may be used – assist with locating nearest vehicle to a service request, lone working, respond to complaints or allegations made against council/employees.
- To address the Driving at Work Guidelines published by the HSE/DfT which places responsibility on the Council to manage work related road safety.

3. SERVICE AREA BENEFITS

For vehicles fitted with the vehicle management system it will provide;

- Improved security for operatives, vehicles and equipment.
- Improved efficiency.
- Ability to identify fleet vehicles at any time, some examples of what this may be used for - assist with locating nearest vehicle to a service request, lone working, response to complaints or allegations made against council/employees.

- Improved service delivery co-ordination and response times to requests and complaints.
- Reduced fuel costs.
- Detailed vehicle reporting system to provide management information on fuel use, emissions, locations, journey reports, vehicle speeds, and engine idling and driving events.
- Reduced fleet damage repair costs /insurance premiums.
- Accountability of vehicle location in cases of alleged incidents.
- Reduce fleet running costs through improved efficiency.
- A facility to plan routes to reduce duplication and unnecessary travel.

4. FLEET MANAGEMENT/ENVIRONMENTAL BENEFITS

- The system will assist with the council's Duty of Care for safe vehicle operation.
- Ability to monitor driver hours, vehicle speeds, driving standards and any unauthorised mileage incurred.
- Compliance with VOSA (Vehicle and Operator Services Agency) requirements.
- The identification of driver improvements to facilitate cost effective driver refresher training where required.
- A technological aid to reducing vehicle accidents.
- The ability to monitor vehicle location in the event of theft.

5. EMPLOYEE BENEFITS

- Increased security particularly in respect of lone working.
- Increased efficiency through improved work and route planning.
- Assist with requirements of the council's vehicle operating procedures in respect of hours of use, driving standards, location and speed.
- Identify drivers against bogus claims against the council in respect of accidents or accidental damage to private vehicles or property.
- Improved response to complaints.
- To assist in investigations where allegations have been made against employees.

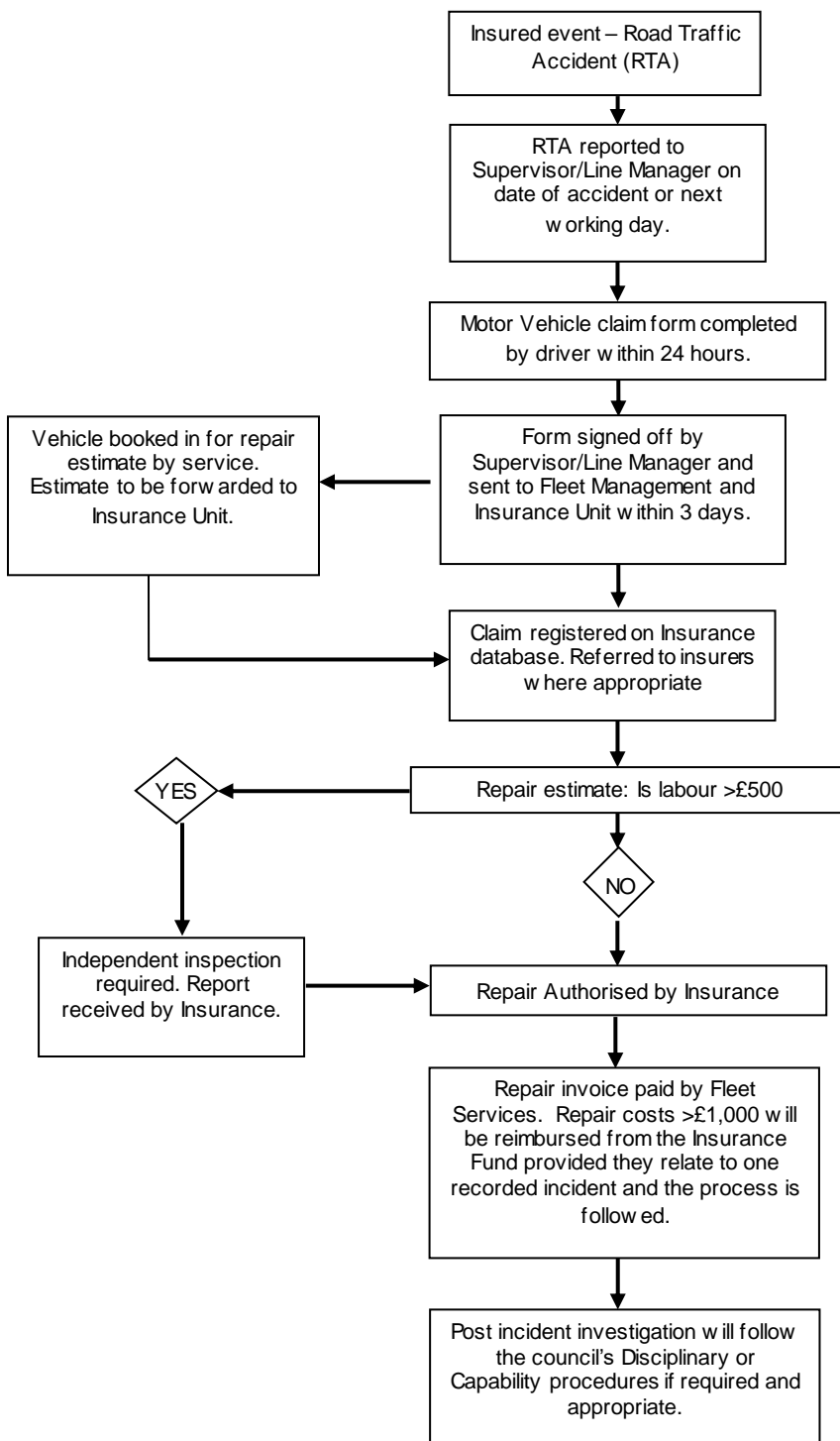
6. OPERATING PROTOCOL

- Employees will be informed of the vehicles within which the vehicle management system will be installed.
- Line managers authorised to access the information generated by the system will be restricted to fleet vehicles directly under their operational control.
- Only authorised users will have remote access i.e. out of office to generate information from the system i.e. systems administrator, out of hours service.
- Line managers authorised to access the information generated by the system will use the information discreetly ensuring that employee confidentiality is maintained in respect of any non-conforming driving events or incidents that require to be addressed.
- When viewing the information generated by the system on-line, line managers will ensure that no other employees can view the monitoring screen.
- Reports will be generated by line managers on a daily, weekly or monthly basis as required.
- E-mails and /or screen pop-up messages will be sent via the system to line managers to alert them to driving events such as speeding, harsh steering or braking and unauthorised travel.

- The information generated by the system will be used to identify drivers to the Police or VOSA, at their request, in relation to road traffic offences.
- Drivers repeatedly demonstrating non-conforming driving events such as speeding, harsh steering or braking, unauthorised travel and unnecessary engine idling, this will initially be brought to the attention of the employee if no improvement is noted the driver will be required to undertake a driving re-assessment and/or undergo driver refresher training. A review date may then be set /agreed to ensure that the re-assessment/refresher training has had the appropriate impact on driving behaviour.
- Where there are instances of dangerous or repeated examples of bad driving such as speeding or harsh braking/steering events, or where the council policies and procedures have been breached, the information generated by the system may be used during any subsequent investigation under the terms of the council's Disciplinary Procedures.
- The Vehicle Management System represents a significant spend to save investment for the council and should therefore be respected. Interfering with the equipment with a view to preventing it from operating will constitute a serious breach of discipline and be addressed in accordance with the council's Disciplinary Procedures

The terms of these operating procedures, and the associated protocol, apply to all employees authorised to drive Council owned or hired vehicles and to those employees authorised to access the information generated by the Vehicle Management System. Breaches of the terms of the protocol will be addressed in accordance with the council's Disciplinary Procedures.

ACCIDENT REPORTING PROCESS MAP

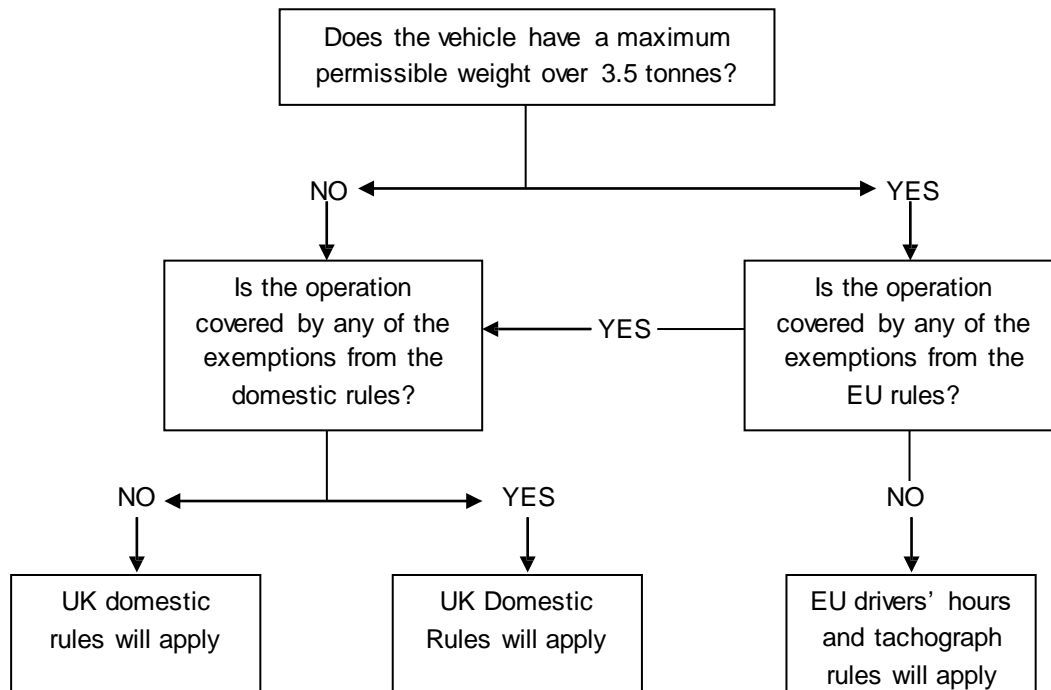


Once a claim form has been received the Insurance Unit will deal with matters appropriately in accordance with the cause of the accident i.e. Inform insurers of liability position or initiate recovery of council outlays from Third Parties.

Motor vehicle claim forms can be obtained from Fleet Services and the Insurance intranet site.

DRIVERS' HOURS SUMMARY

The operation of council vehicles is governed by sets of rules in relation to drivers' hours; either EU hours rules, or UK domestic rules. The flowchart below illustrates, in a simplified format, which set of drivers' hours rules apply:



EU hours rules

EU hours rules – drivers' hours regulations covering drivers of most goods vehicles over 3.5 tonnes gross plated weight and large passenger vehicles on journeys within the United Kingdom or to another EU member state.

Rule	Detail
Breaks from driving	A break of no less than 45 minutes must be taken after no more than 4.5 hours of driving. The break can be divided into two periods – the first at least 15 minutes long and the second at least 30 minutes – taken over the 4.5 hours.
Daily driving	Maximum of 9 hours, extendable to 10 hours no more than twice a week.
Weekly driving	Maximum of 56 hours.
Two-weekly driving	Maximum of 90 hours in any two-week period.
Daily rest	Minimum of 11 hours, which can be reduced to a minimum of 9 hours no more than three times between weekly rests. May be taken in two

	periods, the first at least 3 hours long and the second at least 9 hours long. The rest must be completed within 24 hours of the end of the last daily or weekly rest period.
Multi-manning daily rest	A 9-hour daily rest must be taken within a period of 30 hours that starts from the end of the last daily or weekly rest period. For the first hour of multi-manning, the presence of another driver is optional, but for the remaining time it is compulsory.
Ferry/train daily rest	A regular daily rest period (of at least 11 hours) may be interrupted no more than twice by other activities of not more than 1 hour's duration in total, provided that the driver is accompanying a vehicle that is travelling by ferry or train and has access to a bunk or couchette.
Weekly rest	A regular weekly rest of at least 45 hours, or a reduced weekly rest of at least 24 hours, must be started no later than the end of six consecutive 24-hour periods from the end of the last weekly rest. In any two consecutive weeks a driver must have at least two weekly rests – one of which must be at least 45 hours long. A weekly rest that falls across two weeks may be counted in either week but not in both. Any reductions must be compensated in one block by an equivalent rest added to another rest period of at least 9 hours before the end of the third week following the week in question.

Note: A “week” is a fixed period from 00:00 hours Monday to 24:00 hours the following Sunday. Known as the fixed week.

Certain exemptions and derogations apply. The most relevant exemptions and derogations which apply to the operation of council vehicles are listed below. Please note this is not a comprehensive list and further information should be obtained from Fleet Services if require.

Derogation	Notes
Vehicles used in connection with sewerage, flood protection, water, gas and electricity maintenance services, road maintenance or control, door-to-door household refuse collection or disposal, telegraph or telephone services, radio or television broadcasting and the detection of radio or television transmitters or receivers.	The types of refuse collection and disposal operations likely to be exempt are: the door-to-door collection of black bin bags, green waste, newspapers or glass from households; the collection of sofas and household appliances from households within a local area; and the clearing of a home following a bereavement, provided refuse collection and disposal is the core purpose. *See note regarding emergency winter gritting operations.
Vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers.	This would apply to minibuses used by the voluntary and community sector (e.g. under section 19 and 22 permits) provided the operation as a whole is carried out without a view to profit, nor incidentally to an activity which is itself carried out with a view to profit.
Vehicles owned or hired without a driver by public authorities that do not compete with private transport undertakings. In particular: - by a local authority to provide services for old people or for mentally or physically	

handicapped people.	
Vehicles used or hired without a driver by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as part of their own entrepreneurial activity within a radius of 100 km from the base of the undertaking.	For a vehicle used by fishery undertakings, the exemption only applies if it is being used to carry live fish or to carry a catch of fish from the place of landing to a place where it is to be processed.
Agricultural tractors and forestry tractors used for agricultural or forestry activities within a 100 km radius from the base of the undertaking that owns, hires or leases the tractor.	

*Note: Emergency winter gritting operations may also be exempt from EU hours rules under this derogation in specific circumstances. UK domestic rules would apply.

UK domestic hours rules

Domestic rules apply to drivers on journeys within the UK who are exempt or excluded from the EU rules.

Rule	Detail	Concessions
Daily driving limit	In any working day (24 hours from the start of a period of working/driving) the maximum amount of driving is 10 hours. Applies to driving on and off the public road.	Off-road driving for the purposes of agriculture, quarrying, forestry, building work or civil engineering counts as duty rather than driving time.
Daily duty limit	In any working day (24 hours from the start of a period of working/driving) the maximum amount of duty is 11 hours. For employee drivers "duty" means being on duty (whether driving or otherwise) for anyone who employs him/her as a driver, including all periods of work and driving, but excluding rest and breaks.	<p>Drivers are exempt the duty limit on any working day they do not drive.</p> <p>Drivers that do not drive for more than 4 hours on every day of a fixed week are also exempt the duty limit. But if they drive for more than 4 hours on any day in that fixed week, the limit applies for every driving day in that week.</p> <p>Drivers of goods vehicles not exceeding 3.5 tonnes maximum permissible mass, are exempt the daily duty limit when used for any inspection, cleaning, maintenance, repair, installation or fitting.</p>

Exemptions apply to :

- drivers of vehicles used by the armed forces, police and fire brigades;
- drivers who always drive off the public road;
- private driving unconnected with any employment;
- certain emergency winter gritting operations. **Pre-rostered gritting duties are not exempt.** Further information should be obtained from Fleet Services.