

Fact sheet for fleet managers



Your responsibility as an employer

The Health and Safety at Work Act 1974 requires employers to ensure, so far as is reasonably practicable, the health and safety of all employees while at work. You also have a responsibility to ensure that others are not put at risk by your company's work-related driving activities (self-employed people have a similar responsibility to that of employers).

In addition, under the Management of Health and Safety at Work Regulations 1999, employers have a responsibility to manage health and safety effectively, and to assess and continually review the risks to the health and safety of their employees.

A vehicle used on company business is considered to be a place of work.

Defining work-related driving

The Health and Safety at Work Act 1974 applies to people whose main job is driving as well as those who drive occasionally on company business. It does not apply to commuting, unless the employee is travelling from their home to a location which is not their usual place of work.

Corporate responsibilities

The company directors, company secretary and other managers all have legal duties. Failure to comply could lead to enforcement action by the Health and Safety Executive.

For employers to comply with their duty of care under HASWA 1974 (Health and Safety at Work Act, Section 2, Employers' Responsibilities) they should:

- Have a Health and Safety policy supported by management
- Consult employee and union representatives about Health and Safety at work on the road
- Have road safety management procedures in place – including risk assessment and safe practices that eradicate or reduce risk so far as is reasonably practicable
- Ensure employees are given relevant 'Information, Instruction, Training and Supervision' about keeping safe on the road
- Regularly monitor the safety of journeys, investigate collisions and incidents, review performance and amend policies and procedures where necessary

If an employer is unable to provide evidence of effective procedures for managing driving risk they could face criminal prosecution.

What employers should do

Employers are able to have a significant influence on driver behaviour, and there is a sound business case for positive action.

Expect safe driving*

Ensure all staff, including senior managers and line managers, understand that the organisation expects everybody who drives for work to drive safely for their own, and others' benefit.

Consult staff*

Ensure that staff and/or their safety representatives are fully consulted about the organisation's policies on safe speed and work-related road safety.

Raise awareness*

Ensure that drivers are reminded about the dangers of driving at excessive and inappropriate speeds, and the need to allow sufficient time to complete journeys within prescribed speed limits. In particular, emphasise that staff should never drive faster than road conditions allow, should obey the speed limits at all times and that persistent failure to do so will be treated as a serious matter.

Lead by example*

Senior managers, from the head of the organisation down, should lead by personal example.

Plan safer journeys*

Ensure that journey schedules, distances and plans allow sufficient time for drivers to complete their journeys at safe speeds and without needing to exceed speed limits.

Monitor and review*

Managers should discuss at-work driving with staff during periodic appraisals and team meetings. The circumstances of individual speeding offences should form part of an individual employee's performance appraisal, leading, where appropriate, to new personal performance targets.

Check employees' driving licences

Always check employees' driving licences to ensure they have the correct licence for the category of vehicle they are driving.

Further information and advice

www.dorsetsafetycameras.org.uk

HSE Guide, 'Driving at Work' – www.hse.gov.uk/pubns/indg382.pdf

'Managing Occupational Road Risk: The RoSPA Guide' (price £25.00) – www.rospa.com/drivertraining

Occupational Road Safety Alliance – www.orsa.org.uk

Department for Transport – www.dft.gov.uk

Health and Safety Executive – www.hse.gov.uk/roadsafety

'Driving for Work: Safer Journey Planner' – www.rospa.com/roadsafety/info/worksafejourney.pdf

'Driving for Work: Mobile Phones' – www.rospa.com/roadsafety/info/workmobiles.pdf

'Driving for work: Safer Speed Policy' – www.rospa.com/roadsafety/info/workspeed.pdf

Transport Safety Guidance for Employers – **HSG136**

Health and Safety in Road Haulage – **INDG179**

**Source: RoSPA – Driving for Work: Safer speed policy – all content is the copyright of the RoSPA*