

DRIVING AT WORK POLICY

The Kilmarnock Leisure Centre Trust recognise that they have a duty of care towards employees when on the road, whether they are driving a company car or not. For this reason this policy sets out what is expected from our employees who use their car for business use.

1. General Statement

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

2. Legal Position

We have a duty under the **Health and Safety at Work Act etc, 1974** (HSWA) to take 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. In order to comply with these duties, we 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 Regulation 1999** (as amended).

We also have duties under the **Road Transport (Working Time) (Amendment Regulations 2007**, which govern the hours we expect our drivers to be on the road.

Where applicable, this policy is also based on the relevant provisions of the **Road Traffic Act 1988** and its subsequent amendments. Road traffic accidents that result in a fatality may also lead to action being taken under the **Corporate Manslaughter and Corporate Homicide Act 2007**.

3. Procedures

In order to comply with our legal duties, we have introduced a set of procedures. These are to be followed by staff at all times and are as follows.

- Where a fleet or company vehicle is provided, employees must always report any suspected mechanical defects to The Galleon Centre Manager. In the

event that a defect is suspected, staff should never take a risk and attempt to drive a vehicle.

- If any employee uses their own vehicle for business use, they will be required to maintain it in a roadworthy condition.
- Before embarking on a long journey, employees should always carry out basic checks, e.g. to check oil, water levels and tyre pressure.
- Staff 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.
- Staff should also follow any instructions given relating to driving hours and in particular, any requirement to record time spent driving.
- Hand-held mobile phones should never be used whilst driving and calls should only be made or taken when it's safe to do so.
- Staff should always drive within speed limits and according to the prevailing weather conditions.
- Before driving, staff should familiarise themselves with the procedure to follow in the event of a breakdown.

4. Additional procedures regarding smoking in vehicles

The law regarding smoking in company vehicles changed in 2007. As a result, smoking is banned in most enclosed company vehicles.

A company vehicle must be smoke-free if it is used for work by more than one person, even if the persons who use the vehicle do so at different times, on different days or only intermittently.

Smoke-free company vehicles will be signed accordingly and this rule must be observed.

If any employee uses their own car or a company car for business purposes, the ban does not apply unless it is being used for work by more than one person, either as a driver or passenger (e.g. a pool car). Pool cars therefore will be designated "no smoking" vehicles.

Drivers who use their own cars on company business shall prohibit smoking if passengers are carried during that business.

5. Documentation

In order for us to comply with our legal duties, we will require those using their own vehicles on company business to produce basic documentation. Where this is necessary, each employee will take responsibility for checking the following on an annual basis.

- The employee's driving licence
- If the car is more than three years old, the current MOT certificate
- Insurance documents indicating that the vehicle is insured for business use

6. Employee duties

Section 7 of HSWA also places a responsibility on employees to assist us in complying with our legal duties. They are 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 are expected to follow the procedures laid down in this policy and to:

- Ensure that they have to correct class of insurance for the use of a private vehicle on company business.
- Keep their insurance up-to-date if using their own vehicle on company business.
- Make available copies of the above documents annually or when requested to do so.
- Inform the designated manager of any changes in circumstances, e.g. penalty points, new insurance company or vehicle.
- Keep any private vehicle used on company business in a roadworthy condition.
- Have regular eye tests and ensure that any necessary glasses for driving are worn.
- Read any updates that we 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.
- Ensure that they keep up-to-date with changes to the Highway Code.

7. Ill-health and driving

Employees are responsible for ensuring that they are physically fit to drive. Drivers should also remember that some prescription drugs can cause drowsiness and affect the ability to drive safely. In the event that medication is necessary, employees should check with their GP or pharmacist before driving, even over short distances.

As 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 us of any family history of DVT, or if they have ever experienced problems with blood clotting. Where this is the case, we will refer them to their GP in order to ensure that they are able to drive safely and without risk to their health.