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## Motor Vehicle Policy

### Policy Number – G28

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## **1. Purpose**

- 1.1. The Association has a safety policy on the use of vehicles by employees for business purposes to ensure that vehicles are considered in the same terms of safety as other places of work.
- 1.2. This policy applies to any employee who drives vehicles, rides a motorcycle or bicycle at work. It applies to those using their own vehicles and/or company vehicles for work purposes.
- 1.3. The Association may be liable to prosecution where they “cause or permit” a person to drive a vehicle that is in; a dangerous condition, or; without a valid licence, or; without valid insurance.

## **2. References**

- Control of Substances Hazardous to Health (COSHH) Regulations 2002
- Health and Safety at Work etc. Act 1974
- **Management of Health and Safety at Work (amendment) Regulations 2006**
- Personal Protective Equipment at Work Regulations 2022 (PPEWR)
- Provision and Use of Work Equipment Regulations 1998, as amended
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIIDOR)
- Road Traffic Act 1988
- Road Vehicles (Construction and Use) amendment No 2 Regulations 2022
- The Pedal Bicycles (Safety) Regulations 2010
- INDG 382 (Rev. 1) Driving at Work Managing Work Related Road Safety

## **3. Key Legal Requirements**

- 3.1. Employers have duties under health and safety law for on-the-road work activities. The Health and Safety at Work etc Act 1974 (HSW Act) states employers must ensure, so far as reasonably practicable, the health, safety and welfare of all employees while at work. Employers must also ensure that ‘others’ are not put at risk by their work-related driving activities.
- 3.2. If an employee is killed while driving for work purposes, and there is evidence that serious management failures resulted in a ‘gross breach of a relevant duty of care,’ the company or Association could be at risk of being prosecuted under the Corporate Manslaughter and Corporate Homicide Act 2007.

#### **4. Definition**

4.1. "Vehicle" – any mode of transport that is used for work purposes and includes:

Cars	Vans, Minibus, Lorries	Motorcycles	Taxis
Bicycles	Off Road Plant	Public Transport	

#### **5. General Requirements**

- 5.1. Where possible the use of vehicles for business will be kept to a minimum. Staff will be encouraged to conduct their work via e-mail, telephone or video conferencing. Where work requires travel out with the office, the use of public transport will be considered before vehicle use. The Association will exercise due diligence in ensuring the suitability and safety of 3rd party transport providers. The use of company or personal vehicles should be considered a last resort.
- 5.2. Where alternative modes of transport are to be used, the Association must satisfy itself the transport is suitable and safe before its use.
- 5.3. Staff using vehicles on company business should adhere to good driving practices, in accordance with the Highway Code.
- 5.4. Drivers must not use mobile telephones (including via hands-free kits) or any other communication devices unless the vehicle is parked in a safe location and the engine is switched off.
- 5.5. In the event of an accident or emergency situation, drivers will not attempt to deal with any situation unless they have been specifically trained and, making a personal judgment, believe that it would be safe to do so. Drivers will make a personal judgment on whether to contact the emergency services or road recovery firm but will, on all occasions, report details to their Manager as soon as is reasonably practicable. All staff will co-operate with emergency services involved in an incident.
- 5.6. Any accidents/incidents incurred will be reported, investigated by their Manager and recorded on an accident report form and in the accident book.

#### **6. Driver Safety**

- 6.1. Employees required to drive a motorised vehicle owned by the organisation must have a driving licence valid for the type of vehicle to be driven and complete the "Vehicle Declaration" form at [Appendix 1](#) and return the form to Senior People Partner. The Senior People partner will verify the relevant documentation and update the company authorised drivers list. The organisation will carry out and record annual driving licence checks using the DVLA website.  
<https://www.gov.uk/check-driving-information>
- 6.2. Employees will immediately inform their Line Manager/Senior People Partner should they become aware of any reason as to their ability to operate a vehicle safely, or changes to documentation/information provided at 1) above.
- 6.3. Employees should not attempt to drive when feeling tired, unwell or under the influence of alcohol/drugs. Employees are responsible for identifying the side effects of medicines they are taking, both prescribed and over the counter.

- 6.4. Drivers should ensure an adequate means of communication is available while driving.
- 6.5. Where fitted, seatbelts must be worn at all times, unless there is an exemption certificate in place for that person.
- 6.6. Drivers are encouraged to attend an eyesight examination at least every two years, which is free in Scotland under the NHS. If a driver experiences any significant concerns with their eyesight, they should attend an optician as soon as is possible and refrain from driving.
- 6.7. It is advised that lanyards, including company ID badges and keys attached to lanyards are not worn while driving. In the event of an accident, these can cause severe personal injury.

## **7. Vehicle Safety**

- 7.1. Where the organisation has vehicles available for use, the vehicle will be subject to regular inspection and maintenance and may be fitted with appropriate safety equipment, e.g., fire extinguishers and first-aid kits.
- 7.2. Before starting your journey, you must complete the Pre User Vehicle Inspection Checklist.url. If there are issues with any of the vehicles, please report this to Corporate Services immediately. You can also find a QR code for this on the car keyring.
- 7.3. Noticeable irregularities in company vehicles' performance should be reported to your line manager and Health & Safety Administrator.
- 7.4. All reported vehicle defects will be dealt with promptly. Any vehicle with a defect making it unsafe will be taken off the road immediately until a repair has been carried out.

## **8. Cycle Safety**

- 8.1. Where the Association has pool bicycles available for use, all bicycles will be fitted with the essential bicycle requirements e.g., bell, reflectors and breaks.
- 8.2. All cyclists using bicycles for work-related journeys will have sufficient and demonstrable knowledge of the Highway Code. Those who are not drivers and who are not familiar with the Highway Code will receive appropriate training.
- 8.3. All cyclists will be required to fill out a bicycle declaration form. All employees will inform their Line Manager/Health & Safety Administrator immediately if there are any changes/deterioration to their health or if there are any factors which may affect their ability to cycle safely.
- 8.4. Cyclists will carry out pre-user checks prior to each journey.
- 8.5. The Association will supply cyclists with a helmet and a high visibility vest, other than where the cyclist prefers to use their own equipment. Note that in such cases, the equipment must be in good repair and helmets must be CE Marked. Helmets must be worn whilst cycling for business purposes.
- 8.6. The Association will provide insurance cover for pool bicycles only but, will ensure that the Association's insurance adequately covers any liability associated with employees

cycling on work business (whether or not on an Association bicycle). Those utilising their own personal bicycles for business use are responsible for insuring their own bicycles against theft and damage.

- 8.7. All bicycles (including personal bicycles used for business use) will be subject to regular and documented maintenance and inspection and employees must ensure this takes place.

## 9. Journey Safety

- 9.1. Vehicle use will only be carried out where considered necessary in accordance with General Requirements (1) above.
- 9.2. Journeys will be scheduled to a realistic timetable and will take into account the need for adequate rest periods.
- 9.3. The Association will monitor weather conditions, in the event weather conditions are considered unsafe, journeys will be re-scheduled.
- 9.4. Routes to be planned in advance, when using a Satellite Navigation System all destinations should be entered whilst the vehicle the vehicle is parked in a safe location and the engine is switched off.

## 10. Drivers Using Own Vehicles

- 10.1. Personal vehicles will only be authorised for work use upon completion of the "Vehicle Declaration" at [Appendix 2](#) and authorised by the Senior People Partner following verification of relevant documentation. This includes confirming valid driver's licence using the DVLA website, insurance noting business use stipulated, valid road tax and appropriate MOT certificate. All information will be recorded in the car users register.

## 11. Risk Assessment

- 11.1. The Association will carry out an occupational driving risk assessment where vehicles are used for business purposes. The depth and complexity of the assessment will depend upon the extent and nature of the actual driving operations carried out and the type of vehicle involved. The risk assessment will consider the following issues:

- **Driver** – competency, skill, training, stress, fatigue, fitness and health, eyesight and eyesight tests, reporting of health concerns, PPE, driving under influence of alcohol, driving under influence of illegal drugs or substances of abuse, smoking in vehicles, use of mobile phones, familiarity with vehicle, driving under influence of prescribed drugs, eating and drinking in vehicles, attending to radio or satnav, personal security getting to and from car, lone working, seatbelts, obeying highway code.
- **Vehicle** – suitability, condition, safety equipment, safety critical information, ergonomic considerations, maintenance, familiarity with vehicle, loads to be carried, securing of loads, safety specifications, defect identification and correction, refuelling.
- **Journey** – routes, appropriateness of route for vehicle type, scheduling, time allocated to travelling, time of travel, distance, weather conditions, road types, speed limits, familiarity with route, breaks.
- **Emergency** – incidents, accidents, breakdown, recovery, road rage incidents, carjacking, first aid procedures, emergency procedures.

- **Carrying of passengers** – distraction, conversation, number of passengers, ensuring their safety by wearing of seatbelts at all times whenever available.
- **Inclement Weather** (i.e., snow, fog or high winds) – plan the journey, adjust the times and routes to take account of poor weather conditions. Vehicles properly equipped to operate in poor weather conditions i.e., anti-lock brakes, windscreen washer fluid. Drivers understand how to reduce road risk i.e., reduce speed, put on fog lights, etc.

## Appendix 1 - Pool Car Drivers Annual Declaration

### 1. Pool Car Drivers Annual Declaration

- 1.1 The Group has a transport policy on vehicles supplied to staff to ensure that the vehicles are considered in the same terms of safety as other places of work. A full copy of the Policy is available to view in the HR Policy Manual on Sharepoint.
- 1.2 Cars supplied to staff to assist them in carrying out their work are considered an extension of the workplace and, as such, will be appropriately insured, maintained in a road worthy condition and provided with safety equipment.
- 1.3 All staff required to drive on company business or being allowed the use of company vehicles must inform the Senior People Partner immediately of changes to their health or of any changes to their driving documents.
- 1.4 The People Directorate will undertake, on an annual basis, to ask all pool car users to sign a precondition document confirming they have read and fully understand their responsibilities in this area.
- 1.5 Please follow the below link, you will be asked to input 3 pieces of information. When supplied with the code please enter in the box below.  
<https://www.gov.uk/view-driving-licence>

### Statement

	<b>Tick to Confirm</b>
I certify that that I am of good health and know of no reasons which would prevent me driving a company pool car.	
I certify that I hold a valid driving licence, which would enable me to drive a company car.	
I agree to let the Senior People Partner know immediately of changes to my health and/or if I have changes to my driving documents.	
I agree to let The People Directorate check the legal status of my Driving Licence with DVLA	

Name	
DVLA Code:	
Driving Licence Number	
Signature	
Date	



## Appendix 2 - Essential, Company Car & Casual Car Users Annual Declaration

### 1. Essential, Company Car & Casual Car Users Annual Declaration

- 1.1 All essential or Casual car users must have business included on their own personal car insurance and make certain the car is road worthy with a suitable MOT certificate and valid road tax, where applicable. In addition, they are obliged to inform the Senior People Partner immediately of changes to their health or of any changes to their driving documents.
- 1.2 The People Directorate will undertake, on an annual basis, to ask all essential/casual car users to sign a precondition document confirming they have read and fully understand their responsibilities in this area.
- 1.3 Please follow the below link, you will be asked to input 3 pieces of information. When supplied with the code please enter in the box below.  
<https://www.gov.uk/view-driving-licence>

### Statement

	Tick to Confirm
I certify that I have examined the insurance policy in respect of my private car, registration number _____ and confirm that the car is comprehensively insured for business purposes.	
I undertake to renew the policy while the car is in my possession and similarly to insure any subsequent vehicle, which is to be used by me for business travel.	
I agree to let the Senior People Partner know immediately of changes to my health and/or if I have changes to my driving documents.	
I confirm the vehicle has breakdown cover	
Where required, I have a valid MOT certificate for my car, and understand that I should ensure that my car it is safe and roadworthy to use for business.	

Name	
Licence Number	
DVLA Code	
Signature	
Date	

**Appendix 3 - Declaration for Essential and Casual Car Users**

**DECLARATION FOR ESSENTIAL AND  
CASUAL CAR USERS**

Staff who must use their own cars on Association business must have the vehicle comprehensively insured for business as well as for private purposes.

I confirm that I have examined the insurance policy for my private car, registration number ....., and the car is comprehensively insured for business purposes. I will renew the policy while the car is in my possession and insure any future vehicle which I will use for business travel.

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## Policy Change History

<b>Version</b>	<b>Substantive Change</b>	<b>Author of Change</b>	<b>Approval</b>	<b>Date</b>	<b>Website</b>
1.0	New front cover & version history applied	A Cavinue		21/02/23	Y