

Benson Parish Council

Driving and Towing at Work Policy

1. General Statement

- 1.1 It is our policy to take all reasonable steps to manage the health and safety of those staff that drive on Council 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 out 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 employees driving Council vehicles, as well as basic guidelines on driver health.

2. Legal Position

- 2.1 We have a duty under the Health and Safety at Work Act 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. To comply with these duties, we will take steps to set up safe systems of work in order 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 Regulations 1999 (as amended). Where applicable, this policy is also based on relevant provisions of the Road Traffic Acts 1988 and 1991.
- 2.2 The Council arranges insurance for all vehicles that it owns. All staff that are required to drive vehicles as part of their role are insured under this policy providing they have a valid licence to drive and have not been disqualified from driving.

3. Procedures

- 3.1 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 Council vehicle is used it must be signed out and back in every time it is used.

- Where a Council vehicle is used, employees must always report any suspected vehicle defects to the Clerk. In the event that a defect is suspected, staff should never take a risk and attempt to drive a vehicle.
- If an employee uses their own vehicle for Council business, they will be required to maintain it in a roadworthy condition and have appropriate insurance.
- The driver should undertake weekly basic checks of oil, lights, tyre condition and tyre pressures, steering, brakes, windscreen washers and wipers, and the condition of the vehicle generally.
- Staff should always drive within speed limits and according to the prevailing weather conditions.
- Staff driving a Council vehicle should familiarize themselves with the procedure to follow in the event of a breakdown or emergency situation.
- Vehicles must be locked, windows closed and all keys removed whilst unattended. Movable valuables owned by the Council should be removed from the vehicle or locked out of sight when the vehicle is left unattended.
- All tools and equipment owned by the Council must be removed from the vehicle overnight and the vehicle parked in front of the Parish Hall in one of the staff parking bays or within the range of CCTV. Keys are to be returned to the Caretakers key cabinet when the van is not in use. The vehicle must not be parked overnight in any other location except with the consent of the Clerk.
- The Council does not permit the use of Company vehicles for social, domestic or pleasure use. Vehicles are to be used only in association with authorised Council business.
- The Council does not permit individuals under 18 years of age in Council vehicles
- Only Benson Parish Council staff are permitted to drive Council vehicles. Other individuals may be permitted with the consent of the Clerk and subject to their agreement to all terms of this policy.

4. Documentation

- 4.1 In order for us to comply with our legal duties, it is the responsibility of the Clerk to ensure that all insurance policies, MOT certificates and service history documents are up to date and filed accordingly at the Town Hall.

5. Employee Duties

- 5.1 Section 7 of the HSWA also places a responsibility on employees to assist the Council in complying with its legal duties. They are also 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:

- Make available copies of their driving licence bi-annually when requested to do so.
- Inform the Clerk of any changes in circumstances e.g. penalty points, health issues.
- Make sure that vehicles are kept in a roadworthy condition including all appropriate documentation and servicing.
- Driving whilst under the influence of drugs or alcohol is strictly prohibited and subject to disciplinary action.
- Have regular eye tests and ensure that they meet current driving eyesight standards and ensure that any necessary corrective eyewear is worn.
- Drive within legal speed limits and follow Highway Code guidance at all times. The driver is representing the Council whilst driving at work and must show consideration and avoid the temptation to respond aggressively towards discourteous road users, so as to minimise possible 'road rage'.

6. Ill-health and Driving

- 6.1 Employees are responsible for ensuring that they are physically fit to drive. Should this change, the Clerk must be informed as soon as possible. Drivers should also remember that some prescription drugs can cause drowsiness and affect the ability to drive safely and should therefore seek medical advice if in doubt as to the effect of any prescribed medication being taken.

7. Vehicle Air Pollution

7.1 Idling engines can churn out nitrogen oxide, sulphur dioxide and particulate matter. These chemicals can have a negative effect on people and the environment by contributing to poor air quality. The Highway Code states that drivers must not leave a parked vehicle unattended with the engine running or leave a vehicle engine running unnecessarily while the vehicle is stationary on a public road.

7.2 Turning off the vehicle engine improves local air quality, lowers noise pollution, reduces the amount the Council spends on fuel and complies with the law.

8. Seat Belts

8.1 All drivers and passengers must wear seat belts provided in vehicles. Failure to do so is an offence and the offender is responsible for paying any fines incurred.

9. Use of mobile phones and radios whilst driving

9.1 The use of a hand-held mobile phone or radio whilst driving is illegal and strictly prohibited by the Council. Drivers still risk prosecution for failure to have proper control if they use a hands-free phone whilst driving.

10. Smoking

10.1 Smoking is prohibited in all vehicles at all times and whilst operating any plant and machinery.

11. Fines

11.1 The Council accepts no liability for fines incurred following offences involving the Council vehicle and the responsibility for such offences e.g. speeding, careless driving, drinking and driving, etc. is placed firmly with the driver. The driver must immediately inform the Clerk of any such offences.

11.2 Should the driver of the vehicle at any time incur a fixed penalty parking fine, they must settle this themselves within the time specified and this will not be reclaimable from the Council.

12. Reporting

- 12.1 All accidents and incidents involving any person driving a Council vehicle must be reported immediately to the Clerk. An Accident Form, accompanied by a written statement (if appropriate) must be completed by the driver and submitted to the Town Clerk within 24 hours of the incident.

13. Towing a Trailer

- 13.1 The need to manage the use of trailers and ensuring the safety of employees whilst at work and the safety of other relevant persons in the vicinity of a trailer is essential.

14. Driving licence rules

- 14.1 The rules on what an employee can tow are different depending on when the employee passed their driving test. All driving licences must be checked by the Clerk to ascertain that an employee is entitled to tow and to what weight limit upon their commencement of employment with the Council.

15. Licences issued from 19 January 2013

- 15.1 From 19 January 2013, drivers passing a category B test can tow a small trailer weighing no more than 750kg.
- 15.2 A trailer over 750kg may be towed as long as the combined weight of the trailer and towing vehicle is no more than 3,500kg Maximum Authorised Mass (MAM).
- 15.3 When the combined weight of the towing vehicle and trailer is more than 3,500kg a further test of B + E entitlement is required.

16. Licences held from 1 January 1997

- 16.1 Drivers qualified from 1 January 1997 and have an ordinary category B licence can drive a vehicle up to 3.5 tonnes or 3,500kg MAM.
- 16.2 Tow a trailer over 750kg MAM as long as the combined weight of the trailer and towing vehicle is no more than 3,500kg.

17. Licences held before 1 January 1997

17.1 Employees with driving licenses obtained prior to 1 January 1997 will keep their original entitlement to tow trailers until the licence expires. The driver will be permitted to tow a vehicle and trailer combination that has a combined weight of 8.25 tonnes MAM.

18. Procedure for Towing a Trailer

18.1 The following procedures have been introduced in keeping with the regulations set by the DVLA:

- Training will be provided to staff who have not frequently driven with a trailer at work.
- Regular checks should be undertaken each time the trailer is used. These checks shall include tyre pressure, handbrake operation, the appropriate registration plate is fitted, lights are in full working order, breakaway cable is in place, tow bar and auxiliary lighting socket are working as they are supposed to be.
- Corrosion must be visually checked for on a regular basis. Any signs of corrosion or other problems must be checked by a mechanic and rectified immediately. The trailer must be compatible with the towing vehicle; both must be in a road worthy condition (MOT certified), have fully working lights and have the operator's handbook. The trailer must have brakes if over 750kg or be a double axel trailer if stated as a requirement.
- The driver should always be aware of the height and weight being towed against the MAM (maximum authorised mass) of the vehicle. This will be detailed in the user's manual.
- In order to connect the trailer to the vehicle, the driver should reverse the vehicle to line up with the trailer and then connect the vehicle and electrical system safely and securely. The trailer's functions must all be checked.
- When connecting the trailer to the towing vehicle the following should be tested: trail lights, brake warning lights, number plate lights, indicator lights and brakes. The breakaway cable/chain is to be checked that it is securely attached to the vehicle hitch.

- To load the trailer the driver must ensure that the vehicle is parked in an appropriate area, stabilisers, ramps or a trailer winch may all be required depending on the load. The load should be placed evenly between both axles.
- Different loads will require various methods of securing to avoid damage. The driver must use their initiative and knowledge of using trailers when choosing which method to secure the load. Wheel locks, tarpaulin, netting, ropes and straps are all effective.
- When entering into the public domain normal driving regulations apply with extra caution. The driver must ensure that the vehicle moves off smoothly, the correct gears are engaged in accordance with the requirements of the trailer and speed limits, extra care on corners and the positioning of the vehicle in the road. Braking should be applied earlier than when driving a normal vehicle. Attention must be given to slopes, wet surfaces and rough ground.
- Reversing requires extra care by ensuring correct vehicle positioning and avoiding kerbs. Caution to be taken at all times especially around corners.
- When parking and removing the trailer the handbrake must be secure before the engine is turned off. The trailer should be disconnected from the vehicle hitch and the electrical socket stored safely.