

REPORT TO: Policy and Resources Committee - 28 September 2009

REPORT ON: Managing Occupational Road Risks

REPORT BY: Head of Personnel

REPORT NO: 472-2009

1 PURPOSE OF REPORT

- 1.1 This report has been produced to consider and assess the requirements for driver training and competencies and make recommendations in support of the Council's Occupational Road Risk Policy.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee approves the following:-

- a) A system should be introduced whereby all employees whose core job function responsibilities includes driving Council vehicles, will receive additional driver training if they have 6 penalty points or more, or have had 3 "at fault accidents at work" within 24 months.
- b) The type of additional training provided is described in (c) and (d) below.
- c) Departments are to check employees' driving licences on an annual basis. Where resources exist within a department, the department will provide practical driver training/coaching/assessment, and this should be undertaken within 2 months of a trigger (described in a above) being reached. The Risk Management Section will notify departments when the "at fault accidents at work" trigger is reached.
- d) Where resources are not available within a department, then a psychometric based online-risk assessment will be issued to establish the driver's risk profile. The results will be discussed with a nominated person within the employee's department and shared and discussed with their line manager/supervisor. The cost of providing this training would be absorbed by Risk Management.
- e) An e-learning driver training package will be developed in-house for other specific groups of drivers.
- f) All Departments will need to ensure that any employee who wishes to drive a minibus holds the appropriate classification of licence to permit the employee to drive it. In addition, the driver must have passed the Council's Minibus Test.
- g) A Council employee using a minibus, his or her own vehicle including any leased car with six or more penalty points on their licence may not transport members of the public or employees without receiving additional driver training.

- h) Additional wording is included on the Council's mileage claim form for the driver to sign, stating that their own vehicle is maintained in a road worthy condition, where appropriate has a valid MOT certificate and that they undertake to advise their line manager immediately if the penalty points on their licence are 6 or more.
- i) Where departments use or operate fleet vehicles, a senior manager is nominated to act as the fleet manager for the department, who will be responsible for checking on an annual basis the driving licences of drivers who drive fleet vehicles.

3 FINANCIAL IMPLICATIONS

- 3.1 The costs associated with the implementation of this report are approximately £33,000, with costs being contained within existing departmental revenue budgets.

4 MANAGING OCCUPATIONAL ROAD RISK

4.1 Vehicles

Fleet vehicles are maintained through a programme of regular maintenance. The Policy has introduced the requirement of drivers to undertake pre-start checks on fleet vehicles on a daily basis, for drivers also have a responsibility to report defects to their supervisor or person nominated as the fleet manager.

Where a department has fleet vehicles, the fleet manager should be responsible for ensuring that a system for pre-start checks of vehicles is introduced and adopted. The fleet manager will be the main contact for reporting defects and should be involved in the collating of data on vehicle defects, accidents, authorised drivers and driver training. When procurement or lease of vehicles is required then the person acting as the fleet manager, should be consulted.

- 4.2 Where employees use their own vehicle, the driver is responsible for ensuring that the vehicle is maintained in a road-worthy condition. It is recommended that additional wording is included on the Council's mileage claim form for the driver to sign, stating that the vehicle is maintained in a road-worthy condition, and that where appropriate has a valid MOT Certificate.

- 4.3 The position with regard to the various license requirements to determine who can legally drive a minibus are complex. A paper that summaries the current situation is attached as appendix 1.

4.4 Drivers (Current Position)

All drivers must hold the appropriate driving licence for driving the vehicles they use during the course of their work. Departments should now be checking driving licences on an annual basis. Employees who drive during the course of their work also have a responsibility to inform their supervisor or line manager of driving offences or convictions that affect their driving licence.

- 4.5 Where a driver is required to drive a Council-owned or operated vehicle then the driver should be instructed and be given time to become familiar with the driver vehicle handbook. Employees who are required to drive fleet vehicles should be given this familiarisation induction training as a minimum standard.

- 4.6 Dundee Contract Services train all new fleet drivers in the procedures for driving DCS vehicles including vehicle checks, reversing procedures, etc. Their driving license is checked to ensure it is current and they are entitled to drive the vehicle allocated and that there are no restrictions on towing trailers. They have their eyesight tested and undergo a theory test. After completing this they are given a 45 minute driver assessment on the public road by an advanced motorist. The cost of this training/assessment is approximately £5000 per annum, and it is envisaged that this will be extended to cover all existing as well as new drivers of fleet vehicles. If the driver fails the driver assessment they will receive additional training before being re-assessed. If any driver has a poor accident record then they will also receive additional training and be re-assessed.
- 4.7 Leisure and Communities have 94 vehicles and have trained 131 employees to drive them. The cost of the driver training, to date, is estimated to be £17,500. This includes the use of 15 minibuses whereby all drivers of minibuses must pass the Council's Minibus Test. It is anticipated that a further £3,000 will be required to train additional drivers.
- 4.8 Education have approximately 25 minibuses and there is a need for additional driver training for employees to pass the Council's Minibus Test. In addition, any driver who has 6 or more penalty points on their licence is removed from minibus driving duties. Drivers presenting for the Council's Minibus Test are also not permitted to sit the test if they have 6 or more penalty points on their licence. The cost of this training is estimated to be £3,000.
- 4.9 Waste Management have 3 trained driver assessors. All drivers are assessed on a variety of driving skills including: use of mirrors; reversing; lane discipline; space management in traffic; etc. A point-scoring system exists, where the aim is enable all to drivers to become good drivers. This programme has been in place for some time and is being actively progressed. The scheme encourages positive behaviour through coaching, training and evaluation of driving skills. This will be applied to all fleet drivers in Waste Management. The cost of undertaking this training and assessment of driving skills will cost approximately £23,000 when completed.
- 4.10 Social Work have trained some minibus drivers and some fleet drivers, with the majority of drivers having had their driving licences checked. All drivers of minibuses are to have passed the Council's Minibus Test. The current cost of driver training for the Department is approximately £1,700. Once all minibus drivers have been tested this cost will rise by a further £3600.
- 4.11 The Risk Management Section of the Finance Department will check the Insurance Cover of all Council employees who use their own vehicle on Council business. Where appropriate to the age of the vehicle, confirmation of the validity of MOT certification is also obtained. The Section has significant claims database which provides accident detail to Departments.
- 4.12 It should be noted that administrative arrangements would need to be established, between Finance and the senior managers nominated to act as fleet managers in to deal with drivers in departments with more than 6 penalty points on their driving licences. Arrangements also require to be established for the administration of driver training and providing feedback to drivers.

4.13 Journeys

The risk assessment of journeys is an integral part of the Council's Occupational Road Risk Policy. Effective risk assessments will assist drivers and managers identify the hazards and precautions to manage road risk.

5 POLICY IMPLICATIONS

- 5.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

6 CONSULTATIONS

- 6.1 The Council Management Team, the Health and Safety Co-ordinators Group and the Trade Unions have been consulted in the preparation of this report.

7 BACKGROUND PAPERS

- 7.1 The Council's Occupational Road Risk Policy, dated April 2009.

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Head of Personnel

16 September 2009

Appendix 1**Driving Licence Requirements for Minibuses**

For those that intend to drive a minibus during the course of their work, the license requirements and conditions imposed by the Council appear to be complex and confusing. This short guidance note has been written to assist the majority of employees and managers who may either drive a minibus during the course of their work or who have line management responsibilities for employees who may be required to drive a minibus.

When the word minibus is used in this guidance note, I am referring to 9 - 16 passenger seat minibus. This guidance note does not apply to any other class of vehicle.

1. Any person who drives a Council owned minibus must have passed the Council's Minibus Test. If the driver has not passed the Council's Minibus Test, then the Council has no insurance to cover that driver.
2. All drivers who passed their car driving-test before 1 January 1997 will have a D1 category on their license and will be entitled to drive a minibus up to 7.5 tonnes. They can also drive a minibus and tow a trailer weighing no more than 750kg.
3. The D1 licence requirement stipulates that to drive such a minibus it must not be for "hire or reward." The Council does not operate minibuses in this manner, ie taking monies from the passengers for profit or gain.
4. Those who have passed their normal car driving test after 1 January 1997 should have a category on their licence that will entitle the driver to drive a car of a maximum authorised mass (MAM) of no more than 3500Kg having no more than 8 passengers. If the car is towing then the MAM for the car and towed trailer must not exceed 3500Kg.
5. Drivers who passed their car test after 1 January 1997 must pass an extra driving test to drive a minibus to obtain a D1 category on their licence.
6. Drivers aged 45 years or above who are to drive a minibus must have a D4 Medical Examination every 5 years up to the age of 65 years. Thereafter the medical D4 examination must be undertaken on a yearly basis.
7. It should be noted that the DVLA may remove or limit the entitlement the D1 category from driving licences when a driving license is replaced or renewed eg. Change of address. For this reason employees should check their own driving licence and inform their supervisor, as any change to their licence may affect their ability to drive at work. Departments should also adopt procedures to ensure that driving licences are also checked on an annual basis.

Note: This guidance will not deal with all situations with regard to the driving of minibuses, particularly where the person passed their driving test out with the UK. In these circumstances further advice should be sought from the DVLA.

References

1. www.direct.gov.uk/driverinfo
2. DVLA., Driving a Minibus, Department of Transport
3. RoSPA., Managing Occupational Road Risk

Appendix 2**Proposed Action Plan**

Proposal	Departments Responsible Action	of	Action Required	Proposed scale	Time	Completion Date
1. Where a driver has 6 penalty points or more, or has had 3 "at fault accidents at work" within 24 months they will receive additional driver training.	All Departments		Ensure that driver receives additional driver training	Within 2 months of notification		
2. An e-learning driver training package will be developed in-house for specific groups of drivers.	Personnel		Develop and publish an e-learning course in accordance with the Council's e-learning strategy	February 2010		
3. Ensure that employees who wishes to drive a minibus hold the appropriate classification of driver licence and have passed the Council's Minibus Test.	Education, Leisure Communities, Social Work	&				

Proposal	Departments Responsible of Action	Action Required	Proposed Time scale	Completion Date
4. Employees using their own vehicle to transport service users must complete the a psychometric based online-risk assessment if they have 6 or more penalty points on their licence.	Education Social Work Leisure & Communities	Identify and train employees who transport clients/service users by car	To commence the training process by January 2010	
5. Council's mileage claim form to be amended to state that the claimant is maintaining their vehicle in a road worthy condition.	Finance	To amend the mileage claim forms to highlight that is the employee's responsibility to maintain their vehicle in a road worthy condition	December 2009	