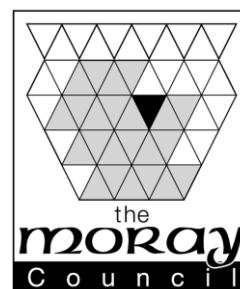


**THE MORAY COUNCIL**  
**Safety Management System**



Section: 5.6  
Title: **DRIVING SAFELY**  
Date: 19<sup>th</sup> December 2007  
Revision: 1

## **1. INTRODUCTION**

- 1.1 Every year 800 to 1,000 people are killed on British roads in accidents involving vehicles being driven for work purposes.
- 1.2 Invariably road traffic accidents are preventable, if drivers take care, drive defensively and make sure that their vehicle is fit to be used on the road.
- 1.3 It is the aim of the Moray Council to ensure that all vehicle operations and journeys undertaken as part of its endeavours are, so far as is reasonably practicable, carried out safely.
- 1.4 The Moray Council is legally obliged to comply with the conditions of it's operator's ("O") license. Failure to comply with these conditions can lead to the full or partial removal of the "O" license and therefore the Council's authority to operate vehicles.

## **2. PURPOSE**

This document is intended to define the Moray Council policy on driving, and to give guidance to managers and drivers on the safe operation of vehicles used for work purposes.

## **3. SCOPE**

- 3.1 This procedure is applicable to all persons who drive as part of The Moray Council's operations, whether or not they are in paid employment. It applies to operations that involve Moray Council vehicles, the employee's personal vehicle, hired vehicles or contracted vehicles.

## **4. RESPONSIBILITIES**

- 4.1 Managers and supervisors have a duty to implement this policy throughout their own areas of responsibility. They are to ensure that all employees are made aware of the policy.
- 4.2 The Fleet Services Manager has a duty to ensure that The Moray Council's vehicle operators licence is maintained and that relevant advice is available and followed on all vehicle operation and driving matters
- 4.3 The Senior Health & Safety Adviser has a duty to provide advice on, and support with, safety matters and their training implications.

- 4.4 All persons driving as part of their Moray Council duties are responsible for ensuring that such duties are undertaken in such a manner as to ensure the safety and wellbeing of themselves and others who might be effected by what the driver does or fails to do.

## **5. GENERAL PROCEDURE**

### **5.1 Driver Qualification**

All persons who drive as part of their Moray Council duties, are to ensure that they hold a full driving licence that is appropriate for the class of vehicle that they are required to drive. They are, without delay, to inform their line manager of any driving ban or licence suspension that they are subject to.

All Moray Council departments are to ensure that systems are in place to ensure that their drivers' licence details are checked, recorded and monitored.

### **5.2 Safe Driving**

Most Council drivers will regularly drive the same route without mishap, it is easy for them to imagine that they are safe and can get away with bad habits. But complacency is the worst driving habit of all. It is worth remembering that, the offence of driving without due care and attention is committed when the driving falls below the standard expected of a reasonable, prudent and competent driver in all circumstances.

#### Seatbelt Use

Seat belts are to be correctly worn in all vehicles used on Moray Council business, where seatbelts are fitted. This applies to both drivers and passengers. Only those persons with a valid medical exemption certificate are allowed to opt out of this ruling.

#### Mobile Phone Use

It is an offence to use a hand held mobile phone whilst driving, and it is widely recognised that using a "hands free" mobile phone can be the cause of distractions that lead to accidents. Therefore, the Moray Council prohibits its drivers from using a mobile phone, whether hand-held or hands-free, whilst driving at work. It requires drivers who receive a call when driving **not** to answer the call until parked in a safe place, such as a lay-by, with the hand brake applied and a neutral gear selected. It is also an offence to cause or permit a driver to use a hand held mobile phone while driving. Therefore, voice mail should be used to contact a person who may be driving.

#### Two Way Radio Use

Whilst the use of two-way radios is exempted from the mobile phone legislation, using a 2-way radio whilst driving can be hazardous. The inappropriate use of a two-way radio whilst driving could lead to a prosecution for failing to have proper control of the vehicle. Therefore, if there are other employees present in the cab they should operate the radio and make transmissions. Drivers may in the event of an emergency or an operational necessity use the radio, if this can be carried out without undue risk to safety.

### Other Activities

Many other day to day acts, such as eating, drinking, smoking or reading maps, if carried out whilst driving, can be hazardous. Any acts that may cause a distraction are prohibited whilst Council employees are driving in connection with their work.

### Weather

Drivers must take into account weather conditions on the road at all times, particularly in the winter. They should ensure that they alter their driving style to take account of prevailing conditions. Police advisory notices, at the roadside or broadcast on TV or radio should be heeded. Remember, the law requires all vehicles to be driven on dipped headlights in reduced visibility (generally regarded as less than 100 metres).

### Loads

All drivers are responsible for any load that is carried in their vehicle and are therefore to ensure that any load is within the vehicle's load carrying capacity, evenly distributed and appropriately secured so that it does not endanger the driver, passengers or other road users and pedestrians.

### Speed Limits

All drivers are to abide by the relevant National speed limits as well as any permanent or temporary speed restrictions that may apply.

### Parking

Persons driving on Moray Council duties are to comply with all parking restrictions. They should always park in a safe manner and in such a way as not to obstruct other road users or pedestrians. Care should always be exercised when getting into or out of a vehicle, so as to ensure that nobody is injured.

## **5.3 Fitness to drive**

### Illness /Injury

All Council drivers who drive in connection with their work must be fit to drive. If they have an injury, illness or are taking medication that may effect their ability to drive safely, they are to inform their line manager or supervisor of the relevant details, without delay. See Annex E, for a list of those medical conditions that are reportable to DVLA.

### Eyesight

Driver are legally required to be able to read a vehicle number plate at a distance of 20.5 metres (67 feet) (in good daylight, with glasses or contact lenses, if worn).

### Alcohol and Drugs

Persons driving as part of their Moray Council duties are not to drive under the influence of alcohol or drugs (either medication or illicit narcotics). Supervisors

and managers should be alert to this fact and should prevent staff, who they believe to be unfit to drive, from driving.

#### **5.4 Driver checks**

All drivers, whether using their own or a Council vehicle must ensure that it is in roadworthy condition before commencing the journey (see Annex D).

#### **5.5 Accidents**

The emergency services should be called, if necessary, telling them exactly where the accident is, details of any casualties, and of any dangerous goods on the vehicles involved.

All Moray Council employees have a duty to report all accidents and dangerous occurrences, through the Council's normal accident reporting procedures. In road traffic accidents (RTA), where any personal injury has been received by any person involved, the Police must be informed.

#### **5.6 Ability to Drive Safely**

The Moray Council reserves the right to withdraw permission for an employee to drive on Council business, if it is considered that the individual's ability to drive safely maybe impaired.

#### **5.7 Risk Assessment**

Managers who control employees who are required to drive as part of their Moray Council duties, are to ensure that suitable and sufficient risk assessments are carried out on all significant hazards that are identified as part of these duties. Hazards that should be considered, include:

- Effects of adverse weather conditions
- Effects of major road works and diversions
- Night driving
- Vehicle operation
- Alternative means of transport
  - Bus
  - Train
  - Flying

### **6. ASSOCIATED DOCUMENTS**

- 6.1 Goods Vehicle (Licensing of Operators) Act 1995
- 6.2 Workplace (Health, Safety and Welfare) Regulations 1992
- 6.3 Road Vehicle (Construction and Use)(Amendment )(No4) Regulations 2003
- 6.4 DSA; Driving the Essential Skills
- 6.5 FTA, Drivers' Handbook
- 6.6 Moray Council Drivers' Handbook
- 6.7 Moray Council Policy on Mobile Phone Use

## **7. ANNEXES**

- A. Privately owned vehicles driven by essential and casual users
- B. Driving Moray Council Fleet vehicles
- C. Driving vehicles leased or hired by The Moray Council
- D. Drivers' maintenance checks
- E. Medical conditions that drivers must report to the DVLA

## **PRIVATELY OWNED VEHICLES DRIVEN BY ESSENTIAL AND CASUAL USERS**

### 1. **Roadworthiness**

Every vehicle used for work purposes by Moray Council employees, including privately owned vehicles, must be maintained in a roadworthy condition and if applicable hold a valid MOT Certificate.

### 2. **Insurance**

Every vehicle used by employees of The Moray Council in connection with Council business must be covered by an appropriate motor vehicle insurance policy that covers the vehicle's use for business use.

Managers who control employees, who drive private vehicles as part of their Council employment, are to put in place systems to ensure that vehicle insurance certificates are checked annually.

### 3. **Driving Licence Checks**

Managers who control employees, who drive private vehicles as part of their Council employment, are to put in place systems to ensure that driving licences are checked annually. Such checks must ensure that licences are "full", not suspended and appropriate for the vehicle to be driven. The Fleet Services Manager is to co-ordinate and apply a system of driving license checks, to ensure compliance.

### 4. **Tiredness**

During 2000, some 20,000 accidents were caused, in the UK, by drivers falling asleep at the wheel. To reduce the risk of accidents being caused through fatigue persons driving non-commercial vehicles as part of their Moray Council duties are recommended to limit their total driving time to 10 hours in each working day. Additionally, drivers are strongly advised to take a 45 minute break from driving in every 4½ hour period of driving. No break from driving should be less than 15 minutes in duration. Each duty period that includes driving must be separated by an uninterrupted 11 hour rest period.

Where an excessively long working day is planned or expected, managers should give serious consideration to authorising appropriate overnight accommodation.

Drivers are to be made aware that if they feel tired whilst driving, they must stop in a safe place and take a suitable rest. They are not to recommence driving before they are suitably refreshed.

It is essential that managers give consideration to the effects of any "2<sup>nd</sup> job" employment that may increase an employee's level of fatigue.

## **DRIVING MORAY COUNCIL FLEET VEHICLES**

### **1. Driver Training**

The Fleet Services Manager is to ensure that all drivers of vehicles owned or leased by The Moray Council:

- a) undergo an assessment drive for the class of vehicle that they are required to drive. This assessment must be successfully completed by drivers who are new to Moray Council or those who are newly qualified, the assessment is to be carried out by competent person, approved by the Fleet Services Manager;
- b) successfully, undergo a familiarisation on the vehicles that they are required to drive as part of their employment., delivered by an appropriate supervisor;
- c) are, trained and authorised to use of any specialist equipment fitted to such a vehicle, such as crane arms and tail lifts;
- d) are, trained and authorised to use of any specialist vehicles that they are required to operate, such as fork lift trucks, road sweepers, gritting vehicles, etc;

prior to them taking control of the vehicle for the first time.

### **2. Driving Licence Checks**

All drivers are to hold a full license appropriate to the class of vehicle that they are to drive. The Fleet Services Manager is to put in place systems to ensure that driving licences, of those persons who drive Moray Council fleet vehicles are checked annually. Such checks must ensure that licences are "full", not suspended and appropriate for the vehicle(s) to be driven.

### **3. Driver's Hours Regulations**

When driving vehicles covered by relevant drivers' hours regulations, as part of their employment, Moray Council employees must use a tachograph, or a Driver's Log Book, as appropriate. All recording must be carried out in accordance with the relevant legislation.

### **4. Vehicle Loading**

An overloaded vehicle is a danger to the driver, passengers and other road users. If a Moray Council vehicle is found to be overloaded, by the police, the Vehicle Inspectorate or Trading Standards, both the driver and the Council will be liable to prosecution. Drivers are responsible for ensuring that the vehicle that they are operating is never overloaded. Managers and supervisors are responsible for ensuring that all drivers that they direct are aware of this and do not overload their vehicles.

## 5. **Maintenance**

The Fleet Services Manager is responsible for ensuring that all vehicles owned or leased by The Moray Council are maintained and serviced in accordance with the manufacturer's recommendations and legal requirements. Each Fleet vehicle will have a defect book in which drivers are to record all faults that are found whilst that vehicle is in use

## 7. **Safety Equipment**

All Moray Council new fleet vehicles will be equipped with a sign in the cab stating the gross vehicle weight (GVW) and its maximum payload, an appropriate fire extinguisher and first aid kit. New commercial vehicles over 7.5 tonne will be fitted with an onboard weight indication system to help ensure that they are not overloaded, other vehicles may be retrofitted with similar devices when a cost effective solution is developed. The Fleet Services Manager is responsible for ensuring that adequate systems are in place for the maintenance and replenishment of this equipment.



## **DRIVING VEHICLES LEASED OR HIRED BY THE MORAY COUNCIL**

### 1. **Driver Qualification**

All persons who drive a vehicle hired or leased by The Moray Council are to hold a full driving licence that is appropriate for the class of vehicle that they are required to drive. Driving licences are to be shown to the hire company for their approval prior to the commencement of the vehicle hire.

Persons who are required to drive a minibus or multi-passenger vehicle (MPV) with more than 4 passengers, hired or leased by The Moray Council, must have successfully undertaken a check drive and be authorised to drive this class of vehicle prior to commencement of the hire.

### 2. **Vehicle Suitability**

All persons who are required to drive a vehicle hired or leased by The Moray Council should ensure that they are capable of safely driving the vehicle. Any special requirement should be highlighted when the booking is made to Fleet Services.

## DRIVERS' MAINTENANCE CHECKS

1. All drivers, whether using their own or a Council vehicle must ensure that it is in roadworthy condition before commencing the journey. The checklist below is based on the Highway Code and is considered to be the minimum required, vehicle manufacturer's advice should also be followed:
  - Take special care that lights, brakes, steering, exhaust system, seat belts, demisters, wipers and washers are all working. Also;
  - Lights, indicators, reflectors, and number plates **MUST** be kept clean and clear
  - Windscreens and windows **MUST** be kept clean and free from obstructions to vision
  - Lights **MUST** be properly adjusted to prevent dazzling other road users. Extra attention needs to be paid to this if the vehicle is heavily loaded
  - Exhaust emissions **MUST NOT** exceed prescribed levels
  - Ensure your seat, seat belt, head restraint and mirrors are adjusted correctly before you drive
  - Ensure that items of luggage are securely stowed
  - Do not ignore warning lights, they could indicate a dangerous fault developing.
  - Tyres **MUST** be correctly inflated to the vehicle manufacturer's specification.
  - Tyres should also be free from certain cuts and other defects.
  - Cars, light vans and light trailers **MUST** have a tread depth of at least 1.6mm across the central three-quarters of the breadth of the tread and around the entire circumference. Large vehicles and passenger-carrying vehicles **MUST** have a tread depth of at least 1mm across three-quarters of the breadth of the tread and in a continuous band around the entire circumference.
  - Tyre pressures should be checked weekly. Do this before your journey, when tyres are cold. Warm or hot tyres may give a misleading reading.
  - Check the fluid levels in your vehicle at least weekly. Low brake fluid may result in brake failure and a crash. Make sure you recognise the low fluid warning lights if your vehicle has them fitted.
  - Before winter. Ensure that the battery is well maintained and that there are appropriate anti-freeze agents in your radiator and windscreen bottle.
  - Do not overfill your fuel tank.
  - Ensure the fuel cap is fastened securely and that the seal in the cap is not torn, perished or missing.
  - Vehicle defect book is in the vehicle (Moray Council vehicles only).
  - Current road fund licence displayed and where appropriate, current "O" licence.
  
2. Some departments may require additional vehicle and equipment safety checks. These will be identified by the appropriate managers / supervisors, along with any written records that are also required to be maintained.

3. Where there is a variation to the required safety checks on a Council vehicle, this is to be identified in the vehicle documentation.
4. Before a trailer is hitched, the driver must check that the vehicle and trailer are compatible. When required, a serviceable trailer lighting board must be used and the trailer and towing vehicle must display the vehicle's registration number on approved licence plates. Where appropriate, a serviceable breakaway cable must be securely connected between the trailer and the towing vehicle. Additionally, any jockey wheel or support legs must be correctly stowed prior to moving off.

## **MEDICAL CONDITIONS THAT DRIVERS MUST REPORT TO THE DVLA**

### **Neurological Conditions**

- Epilepsy
- Fits or blackouts
- Severe and recurrent disabling giddiness
- Parkinson's disease
- Any chronic neurological condition (e.g. multiple sclerosis, motor neurone disease)
- Stroke (with any symptoms lasting longer than 1 month)
- Recurrent mini-strokes/TIA's
- Brain surgery, brain tumour, severe head injury
- Serious memory problems/episodes of confusion
- Narcolepsy/Cataplexy

### **Psychiatric Conditions**

- Any mental ill-health condition (including depression)
- Any psychiatric illness requiring hospital admission

### **Alcohol and Drugs**

- Dependence on/or misuse of alcohol in the past 3 years
- Dependence on/or misuse of drugs in the past 3 years

### **Vision Problems**

- Any visual condition which affects both eyes (not including short/long sight or colour blindness)
- Any visual condition which affects remaining eye, if sight in one eye only (not including short/long sight or colour blindness)

### **Diabetes**

- Diabetes controlled by tablets (with another relevant condition - e.g. Retinopathy)
- Diabetes controlled by insulin

### **Heart Conditions**

- Angina (heart pain)brought on by driving
- Implanted pacemaker
- Disturbance of heart rhythm significant to cause dizziness, collapse or loss of consciousness
- Any other heart condition
- Defibrillator Implanted

### **Sleep Disorders or Conditions which cause excessive daytime/awake time sleepiness**

- Sleep apnoea syndrome

- Narcolepsy/Cataplexy
- Any other condition which causes excessive daytime/awake time sleepiness

## **Spinal Injuries**

- Severe Spinal Injuries
- Paraplegia
- Tetraplegia

## **Cancers/Tumours and Other Medical Conditions**

- Cancer - notification of cancer is required ONLY if:-
  - a. You develop problems with your nervous system.
  - b. Treatment or weakness prevents normal daily activities.
  - c. Medication causes side effects likely to affect safe driving.
- Amputation, Impaired limb function, impairment secondary to medication
- Any other medical condition likely to affect ability to safely control a vehicle e.g. chronic debilitation illness
- Behavioural problems e.g. Asperger's Syndrome