

Title of Report:	Transport / Fleet / Driver Risk Management Policy
Report to be considered by:	Personnel
Date of Meeting:	12 November 2010
Forward Plan Ref:	

Purpose of Report: To set out a policy and range of procedures to improve the management of the Council's transport arrangements

Recommended Action: For the Personnel Committee to consider and approve the policies and procedures.

Reason for decision to be taken: To reduce the risks to staff and customer safety from transport arrangements and reduce the risk of loss arising from damage to the Council's vehicles

Other options considered:

Key background documentation:

<p>The proposals will also help achieve the following Council Plan Themes:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> CPT11 - Protecting Vulnerable People <input checked="" type="checkbox"/> CPT14 - Effective People <input checked="" type="checkbox"/> CPT15 - Putting Customers First <p>The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by: Reducing risks and costs associated with the Council's transport arrangements</p>

Portfolio Member Details	
Name & Telephone No.:	Councillor David Betts - Tel (0118) 942 2485
E-mail Address:	dbetts@westberks.gov.uk
Date Portfolio Member agreed report:	

Contact Officer Details	
Name:	Mark Edwards
Job Title:	Head of Highways and Transport
Tel. No.:	01635 519208
E-mail Address:	medwards@westberks.gov.uk

Implications

Policy:	The report sets out a range of policies and procedures associated with Council transport
Financial:	The report proposes that an online Driver Training package will cost £5000 pa. This cost should be outweighed by avoiding higher insurance premiums and reducing own damage costs on the leased fleet.
Personnel:	The Head of Human Resources will be consulted in the event of any subsequent modifications to the policies and procedures where staff are affected.
Legal/Procurement:	The report is designed to reduce the risk of the Council breaching H&S Legislation and the Corporate Homicide and Manslaughter Act
Property:	none
Risk Management:	The report proposes a number of changes to tighten up process that will reduce levels of risk associated with the Council's Transport arrangements.
Equalities Impact Assessment:	The EIA indicates that the proposals will have a positive impact on certain groups eg learning / physical disabled who are transported as clients by the Council by reducing the risks associated with such travel. In addition there are age restrictions for higher risk driver groups

Executive Summary

1. Introduction

- 1.1 The purpose of this report is to introduce a policy and set of procedures designed to improve the management of risk around the Council's transport arrangements.
- 1.2 The transport arrangements cover
 - (1) The Council's fleet of staff leased vehicles
 - (2) The Council's "General Fleet" of minibuses managed by the Highways and Transport Service.
 - (3) Private vehicles of Council staff that are used on Council business.
 - (4) Private vehicles of Members that are used on Council business.

2. Proposals

- 2.1 There are a range of proposals set out in a number of procedures covering:
 - (1) Licence checks
 - (2) Driver training
 - (3) Risk assessment of drivers of the General Fleet
- 2.2 The policy and procedures have been prepared jointly by the Highways and Transport and Finance services. It is proposed that the ownership going forwards rests with Highways and Transport as this service has the skills and expertise to provide the technical advice regarding road safety and transport risk management.
- 2.3 One key requirement is that staff who use a car to perform their duties effectively, whether they are classed as essential users or casual users, are required to have business use insurance cover.

3. Conclusion

- 3.1 The Policy and procedures outlined in this report should result in safer and lower cost transport for the Council.

Executive Report

1. Introduction

1.1 This report sets out a new policy and a range of procedures for the management of Transport Risk. The aim of the policy is that it should cover all aspects of use of vehicles by Council staff and Members, whether their own vehicle, the leased fleet or Council General Fleet. Attached as appendices are a number of draft procedures that form the core of such a Policy:

- (1) Policy for Fleet / Driver risk management
- (2) Driving Risk Assessment
- (3) Work Related Road Safety Procedure
- (4) Driver Training procedure
- (5) Licence verification procedure
- (6) Minibus operating procedure

2. Purpose of the Policy

2.1 The main reasons for the introduction of these procedures are a set of requirements outlined by the Council's Motor Insurers "Risk Management Partners". These are set out below:

- (1) A written policy statement on fleet and driver risk management should be prepared and issued across the organisation
- (2) Robust procedures should be in place throughout the organisation to ensure all vehicle users hold (as a minimum) a full, current driving licence, which is appropriate for the class of vehicle to be driven
- (3) A written policy should be drafted, agreed and circulated covering vehicle use and prescribed medication, alcohol consumption, or the possession and use of illegal/controlled drugs.
- (4) The risks associated with work-related driving should be formally assessed by the organisation in line with legal requirements

2.2 There are a number of other reasons for putting the policy in place. The policy will enable us as an organisation to exercise control over:

- (1) The way our vehicles are driven
- (2) The purposes to which they are put
- (3) Those people we allow to drive them and under what circumstances they are allowed to drive the vehicles.
- (4) Staff and Members using their own vehicles for Council business.

2.3 This will also help minimise a range of risks that the Council is currently exposed to. For example:

- (1) Health and Safety Legislation states that the workplace “includes any place and in particular any vehicle used in connection with the employer’s trade or business whether owned by the employer or employee”. In other words the Council has a duty to manage occupational road risks as for all occupational risks. Successful prosecutions under H & S legislation against employers in relation to transport are becoming commonplace.
- (2) PUWER regulations (Provision and Use of Work Equipment Regulations) require training to ensure that drivers are trained and competent including those using their own vehicles for work.
- (3) Under the 1988 Road Traffic Act “causing or permitting” an employee to drive while disqualified from doing so or for driving a class of vehicle for which they are not permitted to drive.
- (4) If an Officer or Member has an accident using their own vehicle while on Council business and does not have business use insurance then the Council is likely to be liable.

3. Outline of key proposals

3.1 The key proposals contained in the procedures are set out below.

- (1) Full Licence verification for all employees who may drive, our vehicles, or their own on the business of West Berkshire Council must be checked annually, along with insurance certificates and, where appropriate MOT certificates. This will need to be carried out annually for all staff who drive on the Council’s business. The Council’s insurer has commented that “Licence checks should be undertaken by a competent person who has a fundamental understanding of all associated issues”. Corporate Board have determined that the appropriate checks will be carried out by line managers.
- (2) Provide and enforce vehicle driver training and assessment for our vehicle drivers, monitor the accident records of our drivers and put in place a system of further training assessment as required. An online training package is estimated to cost £5,000 pa.
- (3) Define the circumstances under which an individual can no longer drive for the Authority. E.g. number of accidents / number of points on driving licence.
- (4) Staff who are required to drive their own vehicles on Council business must be required to have Insurance for business use. This is specified as a requirement in the procedures.
- (5) Changes to the lease agreements with staff to ensure that controls are in place for drivers with a poor accident record. This will be implemented through a planned review of the Leased Car insurance arrangements.

- (6) Improvements to the Risk Management arrangements for drivers of the General Fleet to ensure proper assessments are carried out of all drivers.
- (7) Transfer the cost of paying the excess on damage for the General Fleet from the Highways and Transport Service to the drivers service, and increase the excess paid to £500 with the option of increasing this to £1000.

4. Benefits

- 4.1 The overall aim of these proposals is to reduce the cost of the Council's transport arrangements. This should happen by reducing levels of accidents and hence insurance costs, both premiums and self insured costs.
- 4.2 The procedures will also significantly reduce the risk of the Council breaching legislation and being prosecuted.

5. Recommendation

- 5.1 That the policy and procedures outlined in this report and its appendices be accepted and implemented.
- 5.2 That ownership of the Policy and Procedures sits with the Head of Highways and Transport.
- 5.3 That the Head of Highways and Transport can introduce minor amendments to the policies and procedures as appropriate from time to time.

Appendices

Appendix A – Fleet and Driver Risk Management Policy

Appendix B – Driver Risk Assessment

Appendix C – Work Related Road Safety Procedure

Appendix D - Driver Training procedure

Appendix E - Licence verification procedure

Appendix F – Minibus operation policy

Consultees

Local Stakeholders:

Officers Consulted: Risk Strategy Group – Corporate Management Team – Head of HR

Trade Union: Unison - GMB