

Title of meeting:	Employment Committee
Date of meeting:	3 rd July 2012
Subject:	Driving at Work Policy
Report by:	Mike Vickers - Transport & Environment
Wards affected:	n/a
Key decision:	No
Full Council decision:	No

1. Purpose of report

To present the proposed Driving at Work policy to the Employment Committee.

2. Recommendations

It is recommended that:-

The employment committee ratifies this policy for inclusion in to the PCC Health and Safety provision.

3. Background

Driving at work represents a major risk to the health and safety of any employer that requires their employees to drive as a part of their duties.

PCC currently operates just over 100 vehicles, which annually cover in excess of 750,000 miles per year. Furthermore there is approximately 900 staff that regularly use their own vehicles for business purposes covering some 1.2 million miles per year. PCC currently has no formal policy in place to help manage its driving activities, and the associated liabilities that come with it.

A comprehensive legal framework compels organisations to make adequate provision for the management of their driving related risks, including:

- The Health and Safety at Work Act 1974, in particular sections 2,3, and 37
- The Management of H&S at Work Regulations 1999, in particular Regulation
- The Corporate Manslaughter and Homicide Act 2007
- Road Traffic Act 1988
- P.U.W.E.R 1998
- R.I.D.D.O.R.

This legislative framework places responsibility on senior PCC staff for the management of work related driving, and opens the possibility of prosecution should the organisation found to be inadequate following an road traffic collision or incident, regardless of whether the driver is found to be at fault.

4. Reasons for recommendations

The reason for the recommendation is to enable PCC to take steps to protect its assets, employees, and its reputation.

Failing to implement a driving at work policy would leave the organisation falling short of its legal duties, and therefore open to prosecution.

The lack of provision for the management of driving at work has already been noted by Chartis (PCC insurance company), who stated that

“A corporate wide written policy relating to fleet and driver risk management must be developed. The policy must be regularly reviewed to ensure the information contained within it remains accurate and relevant to the council’s activities and functions. A senior manager should be nominated to take ownership and actively champion issues relating to fleet and driver risk management”.

5. Equality impact assessment (EIA)

A Preliminary Equality Impact Assessment has been undertaken with regards to this proposed policy and no adverse impact on any of the equality groups has been identified

6. Head of legal, licensing & registrars’ comments

The development of this policy fulfils the City Council’s duty of care to its employees and ensures compliance with statutory obligations

7. Head of finance’s comments

There are few financial implications relating to the approval of this policy.

Section 5.1(i) of the Proposed policy states that council employees who drive vehicles owned or leased by Portsmouth City Council as part of their core activities must successfully complete the council’s driving assessment which is facilitated by PCC Fleet Manager. This is not currently a mandatory requirement, around 75% of the Council’s 200 drivers who would fall into this category have already been assessed. This has been funded from service cash limits.

The remaining 25% of drivers will need to undertake a driving assessment at £62 per driver. This cost will need to be met from service cash limits.

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Signed by:

Appendices:

Appendix 1 – Driving at Work Policy

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: