

Driving at Work Policy



Title:

Driving at Work Policy (Health & Safety)

Date effective from:	October 2023	Review date:	June 2025
Approved by:	Policy Approval Group		
Approval Date:	7 June 2022 (Technical Update Oct 2023)		
Author/s:	Lead Health and Safety Adviser		
Owner:	Director of HR		
Executive Lead:	NHS Lothian Executive Medical Director		
Target Audience:	All NHS Lothian staff who undertake work-related driving activities, arising in connection with their duties.		
Supersedes:	Driving at Work Policy v2		
Keywords (min. 5):	Driving, drive, vehicle, car, van, pool, traffic, safety, DVLA, fleet		

Version Control

Date	Author	Version/Page	Reason for change
Aug 2016	Lead Health & Safety Adviser	v1	Approved by NHSL Health & Safety Committee
Dec 2021	Health & Safety Adviser, WGH	v1.1-3	Under review
June 2022	Health & Safety Adviser, WGH	v2.0	Approved by Policy Approval Group
Oct 2023	Lead Health & Safety Adviser	v2.1	Technical update

Executive Summary

NHS Lothian has a statutory and moral duty of care to its employee's whilst they carry out their respective duties. This duty of care extends to those approved to drive whilst at work, including those approved to drive or utilise 'electrically assisted pedal cycles' (EAPC) whilst at work.

All approved drivers who, in line with their respective duties, drive on NHS Lothian business, must do so in accordance with this policy and its associated procedures/guidance.

Approved drivers are those who have been approved to drive NHS Lothian's vehicles as well as those who have been approved to drive their own vehicles on NHS Lothian business.

Approved drivers, or users of EAPCs, are those who have been approved to drive or use NHS Lothian's vehicles or EAPCs, as well as those who have been approved to drive their own vehicles on NHS Lothian business.

The policy should be read in conjunction with the: -

[Operational Procedures for the Management and Use of vehicles within NHS Lothian](#)

This policy continues to develop providing the legislative basis, evidence in support of the said policy and the stakeholder and monitoring consultation and review.

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1.0 Purpose

The purpose of this policy is to enable NHS Lothian to meet its legal and moral obligation to protect staff from the inherent dangers whilst driving in the course of their duties.

2.0 Policy statement

NHS Lothian recognises the risks to staff who need to drive at work and is committed to the prevention of injury, loss of life and damage to property from work-related driving incidents and accidents in so a far as is reasonably practicable.

3.0 Scope

The policy applies to all approved drivers (employees and others) who undertake work-related driving activities, arising in connection with their NHS Lothian duties.

4.0 Definitions

‘The term driver relates to licence holders as defined within the Road Traffic Act (RTA) 1988, specifically sections 87, 99A and 99B.’

Holders of any other type of licence must seek clarification from their line manager / Fleet Management prior to driving.

For the purposes of this policy, the term ‘drive’ also includes the use of ‘electrically assisted pedal cycles’ (EAPCs).

5.0 Implementation roles and responsibilities

5.1 Chief Executive

The Chief Executive has overarching responsible for all staff however, through the various line management structures, responsibility is delegated to management; ensuring that there is in place suitable and sufficient arrangements for identifying, evaluating and managing the risks associated with driving at work.

The Chief Executive must also ensure that suitable & sufficient resources, training, supervision and direction are provided to allow NHS Lothian staff to comply with the contents of said policy.

5.2 Line Managers

Line managers are responsible for:

- ensuring that all staff who drive at work are aware of the policy.
- ensuring that the driving at work risk assessment process is carried out and that significant findings are recorded, shared with staff and others, discussed and regularly

reviewed.

- ensuring that staff are aware of driving related requirements within Working Time Regulations.
- using the information from the risk assessment process to put into place procedures and safe systems of work designed to eliminate or reduce the likelihood of driving at work incidents or accidents.
- promoting staff safety through effective use of telematics, and supporting IT application, fitted to all of NHS Lothian's pool and commercial vehicles.
- ensuring that staff groups, and individuals identified as being at risk from driving at work, or where telematics highlights unsafe driving practices, are given appropriate information, instruction and, where required, training.
- investigating and recording driving at work incidents and accidents, and supporting staff involved in any such incidents or accidents.
- as a minimum, undertaking an annual check of driving licences, vehicle insurance certificates, and, where applicable, MOT certificates. See [Section 8.4 MOT's, Operational Procedures for the Management and Use of Vehicles within NHSL](#)
- ensuring a medical questionnaire and/or DVLA eyesight test is completed for all staff involved in driving at work. See [Section 5.9 Eyesight Standards, Operational Procedures for the Management and Use of Vehicles within NHSL](#)
- retaining documentation (from the above checks) within departments and forwarding copies to Fleet Management/Payroll Services (as appropriate)
- ensuring that in cases where the driving licence or insurance details are not in line with the legal requirements, the staff member is not allowed to continue to drive at work until there is full compliance.
- ensuring staff using EAPC's have received suitable and sufficient supervision, instruction and training in the use of said EPAC's.

5.3 All staff

All staff are responsible for:

- taking reasonable care of themselves and other people who may be affected by their actions.
- complying with the 'Road Traffic Act 1988' and for following the 'Highway Code' and other statutory instruments.
- co-operating by following rules and procedures designed for safe working related to driving at work, in particular complying with Working Time Regulations including where staff may have a second employment.
- reporting all incidents and accidents in relation to driving at work.
- taking part in driving at work training identified through the risk assessment process.
- reporting any hazards and any significant risks they identify or any concerns they might

have about driving at work.

- disclosing to their manager any medical conditions that may disqualify them from driving. ([Medical conditions that disqualify you from driving](#))
- disclosing to their manager and motoring convictions and such convictions that may disqualify them from driving ([Convictions that disqualify you from driving](#))

6.0 Associated materials

[Operational Procedures for the Management and Use of vehicles within NHS Lothian](#), January 2021

[NHS Lothian Workplace E-Bike Scheme \(Leased e-bikes\) Standard Operating Procedure](#), September 2022

[NHS Lothian Health and Safety Policy](#), approved by the Lothian Health Board

[NHS Lothian Adverse Event Management Policy](#), approved by the Policy Approval Group

[Workplace Transport and Management Safety Policy](#), approved by NHS Lothian Health & Safety Committee

[Driving at Work Model Risk Assessment](#)

7.0 Evidence base

[Driving for Work – Using Own Vehicles](#), RoSPA

[Management of Work-Related Road Safety \(RR018\)](#), Health & Safety Executive

[The Road Traffic Act \(RTA\) 1988](#)

[RTA 1988 Sect 87](#)

[RTA 1988 Sect 99B](#)

[Electrically assisted pedal cycles rules](#)

8.0 Stakeholder consultation

Key stakeholders were consulted during the review of this policy and their updated recommendations have been included in this policy.

This Policy was placed on the NHS Lothian Consultation Zone for a 4-week period for all NHS Lothian staff to comment on.

9.0 Monitoring and review

The NHS Lothian Health and Safety Committee(s) structure through the NHSL Health and Safety Management System Quarterly Reports will monitor and review the effective implementation of this policy. The review processes will include:

- Reports of all driving at work reported accidents and or incidents.

- Ensuring that line management team’s review telematics and other relevant information, and where applicable, investigate significant unsafe driving at work as well as any related incidents and accidents that caused harm to staff, others or property.
- Managers will also monitor the implementation of any action plans as a result.
- All staff related incidents and accidents are monitored by the local Health and Safety Committees; and those related to driving at work that are not deemed to have been managed appropriately will be subject to further investigation as directed by these Committees.

This policy will be subject to an assurance check. The risk level, along with the frequency of the assurance check, will be determined by the NHS Lothian Health and Safety Committee.

The policy will be reviewed and where required every three years, or as a result of any changes in risk and or in legislation which may occur before this.