



Driving at work Northern Ireland

An Employer's Guide

Safe Driver • Safe Journey • Safe Vehicle



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A guide to managing work-related road safety for Northern Ireland employers

Up to a third of all road traffic incidents may involve somebody who is driving as part of their work at the time [\(TRL\)](#).¹

Health and safety law applies to work activities on the road and it is an employer's responsibility to manage the risks to drivers. Effective management of work-related road safety helps reduce risk, no matter what size your organisation is. It could also result in:

- fewer injuries to drivers;
- reduced risk of work-related ill health;
- reduced stress and improved morale.

The law

Employers have duties under health and safety law for on-the-road work activities.

This duty also extends to employees who use their own vehicle to make any work-related journeys. Health and safety law does not apply to people commuting (i.e. travelling between their home and their usual place of work), unless they are travelling from their home to somewhere which is not their usual place of work.

The Health and Safety at Work [\(Northern Ireland\) Order 1978](#)² states that you must ensure, so far as reasonably practicable, the health and safety of all employees while at work. You must also ensure that others are not put at risk by your work-related driving activities. **The self-employed have similar responsibilities.**

The Management of Health and Safety at Work Regulations (Northern Ireland) 2000³ **(as amended)** require you to manage health and safety effectively.

You must carry out an assessment of the risks to the health and safety of your employees, while they are at work, and to other people who may be affected by your organisation's work activities.

See ['Assessing risks on the road'](#).

You must consult with your employees and where appropriate their health and safety representatives on issues including:

- risks arising from their work;
- proposals to manage and/or control these risks;
- the best ways of providing information and training.

There is more advice in the HSENI leaflet: [Consulting employees on health and safety: A brief guide to the law](#)⁴

You also have duties under road traffic law, e.g. the Road Traffic Orders and the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999, which are administered by the police and other agencies such as the Driver and Vehicle Agency (DVA). See 'Other useful contacts' at the end of this leaflet.



¹ Transport Research Laboratory.

² The Health and Safety at work (Northern Ireland) Order 1978

³ The Management of Health and Safety at Work Regulations (Northern Ireland) 2000 (as amended)

⁴ Consulting employees on health and safety: A brief guide to the law

In most cases, the police will take the lead on investigating road traffic incidents on public roads. HSENI may take enforcement action where the police identify that serious management failures have been a significant contributory factor to the incident.

What are the potential consequences?

Work-related road safety should be a priority for organisations for legal, societal, reputational, financial and efficiency reasons.

If one of your employees is killed, for example while driving for work, and there is evidence that serious management failures resulted in a 'gross breach of a relevant duty of care', your company or organisation could be at risk of being prosecuted under the Corporate Manslaughter and Corporate Homicide Act 2007⁵



How to manage work-related road safety

HSENI encourages a common-sense, practical approach. A four-step process - **Plan, Do, Check, Act**⁶ can be applied to work-related road safety.

Plan - Describe how you manage health and safety in your organisation and plan to make it happen in practice

- Assess the risks from work-related road safety in your organisation.
- Produce a health and safety policy covering, for example, organising journeys, driver training and vehicle maintenance.
- Ensure there is top-level commitment to work-related road safety in your organisation.
- Identify roles and responsibilities for work-related road safety. Those responsible should have enough authority to exert influence and be able to communicate effectively to drivers and others.

Do – Prioritise and control your risks, consult your employees and provide training and information

- In larger organisations, make sure departments with different responsibilities for work-related road safety co-operate with each other.
- Make sure you have adequate systems to allow you to manage work - related road safety effectively. For example, do you ensure your vehicles are regularly inspected and serviced according to manufacturers' recommendations?
- Make sure you involve your workers or their representatives in decisions. This is a good way of communicating with them about health and safety issues.
- **You must provide training and instruction where necessary.**

⁵ Corporate Manslaughter and Corporate Homicide Act 2007

⁶ Plan, Do, Check, Act - HSE Publication indg 275

Check – Measure how you are doing

- Monitor performance to ensure your work-related road safety policy is effective and has been implemented and is adhered to.
- Encourage your employees to report all work-related road incidents or near misses.

Act – Review your performance and learn from your experience

- Make sure you collect enough information to allow you to make informed decisions about the effectiveness of your existing policy and the need for changes, for example targeting those more exposed to risk.
- Regularly revisit your health and safety policy to see if it needs updating.

Assessing risks on the road

As an employer or self-employed person, you are responsible for assessing the risks to health and safety in your business. Risk assessment for any work-related driving activity should follow the same principles as for any other work activity.



You need to make sure it is carried out by someone who:

- is competent to do so (has the right skills, knowledge and experience);
- involves your workers in the process;
- understands when specialist help may be needed.

Risk assessment is about identifying and taking sensible measures to control the risks in your workplace, not about creating huge amounts of paperwork.

The aim is to make the risk of someone being injured or killed as low as possible by following five key steps.

See HSENI's Five steps to risk assessment available via the following link: [www.hseni.gov.uk/Five steps to risk assessment](http://www.hseni.gov.uk/Five%20steps%20to%20risk%20assessment)

Step 1: Identify the hazards

A hazard is something in your business that can cause harm. Look for hazards that may result in harm when driving on public roads. The main areas to think about are the driver, the vehicle and the journey. Remember to ask your employees (both those who drive extensively and occasionally), or their representatives, what they think as they will have first-hand experience of what happens in practice. The [‘Work-related road safety checklist’](#) includes some suggestions of what to consider.

Step 2: Who might be harmed?

Decide who might be harmed (e.g. the driver, passengers, pedestrians and other road users) and how. Consider any groups who may be particularly at risk, such as those new to the job and those driving long distances and working long hours.

Step 3: Evaluate the risks

A risk is the chance, however large or small, that a hazard could cause harm. Decide how likely it is that harm will occur from the hazards identified. You must ensure that you know about the main risks and manage them responsibly.

Step 4: Record your findings

Record your significant findings – make it simple and focus on the controls. If you have **more than five employees**, you are required by law to write it down, but in any case it is good practice to keep a record.

Step 5: Review your risk assessment

It makes sense to review your risk assessment on a regular basis. There is no set frequency for carrying out a review, but you need to ensure that the risks to those who drive, and others, are suitably controlled. For this to be effective, you need to know about any road incidents, your drivers and vehicle history.

Changing circumstances may also prompt a review, e.g. introducing new routes, new equipment or a change in vehicle specification. If anything significant changes, check your risk assessment and update it.

Work-related road safety checklist

Working through this checklist and thinking about the three areas of safe driver, safe vehicle and safe journey will help you manage work-related road safety effectively.

Safe driver

Are your drivers competent and capable of doing their work in a way that is safe for them and other people?

- Have you specified what levels of skill and expertise are required to do the job safely and how do you ensure these are met?



- Do you check the validity of driving licences on recruitment and periodically afterwards?
- What are you doing to make sure your drivers are aware of company policy on work-related road safety and understand what is expected of them?
- Could you use written instructions and guidance, training sessions or group meetings to help you communicate your policy more effectively?

Are your drivers properly trained?

- Do you provide general induction training for drivers?
- Do you arrange for drivers to be trained, giving priority to those at highest risk, e.g. those with high annual mileage, poor collision records, or those new to the job?
- Do you find out if drivers require extra training to carry out their duties safely, such as using defensive driving techniques, or how to load and unload safely?
- Do you consider training about other road users, e.g. cyclists or motorcyclists?
- Do you assess training needs periodically, including the requirement for refresher training?
- Do you ensure your training providers are competent to deliver the training you need?

Do you ensure your drivers have clear instructions about how to keep themselves safe while on the road?

- Do drivers know how to carry out routine safety checks, such as those on lights, tyres and wheel fixings, and report any faults?
- Do drivers know how to correctly adjust safety equipment, e.g. seat belts and head restraints?
- Do drivers know what to do to ensure they are safe if their vehicle breaks down, e.g. use safety warning triangles and high-visibility jackets?

- Do you need to provide a handbook for drivers giving advice on road safety?
- Do drivers know they must not drive under the influence of drink or drugs?
- Do drivers know they must not use a hand-held mobile phone while driving and that even using a hands-free phone can seriously affect concentration?
- Are drivers aware of the height of their vehicle, both laden and empty? There are estimated to be around three to six major bridge strikes every day in Great Britain.
- Do you make sure crash helmets and protective clothing for motorcycle and bicycle riders are of the appropriate standard?

Are your drivers sufficiently fit and healthy to drive safely and not put themselves or others at risk?

- Do drivers of heavy lorries, for whom there are legal requirements for medical examination, have the appropriate medical certificate?
- Do you remind drivers that they must satisfy the eyesight and other health requirements of the [Highway Code⁷ and DVA⁸](#)?
- Have you told drivers they should not drive while taking medicine that might impair their judgement? If there is any doubt, they should ask their GP.
- Are drivers aware of how dangerous tiredness can be and do they know what to do if they start to feel sleepy?
- Do you encourage drivers to report any health concerns?

Do you know your duties under health and safety law when employing contractors and subcontractors?

- Did you know that both you and the contractor you use have duties under health and safety law? An HSENI leaflet [Using Contractors a brief Guide⁸](#) provides more advice.
- Do you ensure contractors are competent to do the job safely and without risks to health and safety?
- Do you provide contractors with information on the risks from your activities and the controls you have in place?
- What arrangements do you have in place to ensure contractors tell you about any additional risks from their contracted work?
- Have you set up liaison arrangements for co-operation and co-ordination with all those responsible to ensure the health and safety of everyone concerned?
- Do you decide what you need to do to manage and supervise the work of contractors and agree any controls before work starts?

Do your employees understand their responsibilities? The Health and Safety at Work NI Order 1978 states that while at work they must take reasonable care of their own health and safety and that of other people.

- Do employees have the correct licenses to drive the vehicle?
- Have employees completed appropriate checks to make sure the vehicle is roadworthy?
- Are employees aware of the legalities surrounding alcohol consumption and how it impairs driving? This is especially important if employees have been drinking the night before.

⁷ Highway Code and DVA

⁸ Using Contractors: A Brief Guide

Safe vehicle

Are vehicles fit for the purpose for which they are used?

- Do you investigate, when buying new vehicles, which ones are most suitable for driving and for the health and safety of the public?
- Do you make sure your vehicles have driver aids and other safety devices where appropriate, e.g. reversing alarms, camera systems, proximity sensors and side protection bars for lorries or HGVs to protect cyclists?
- Do you ensure drivers and passengers would be adequately protected in an incident, e.g. are any seatbelts, head restraints or airbags correctly fitted, working properly and used?
- Do you ensure vehicles do not exceed their maximum load weight?
- Do you have appropriate arrangements for carrying and properly securing goods and equipment in a vehicle?
- Do you ensure privately owned vehicles are not used for work purposes unless they are appropriately serviced, have a valid MOT test certificate and are insured for the correct business use?



Are vehicles maintained in a safe and fit condition?

- Do you ensure daily vehicle checks are carried out?
- Is appropriate planned/preventive maintenance carried out? Remember – an MOT test certificate only covers basic defects and does not guarantee the safety of a vehicle.
- Do you ensure tyres and windscreen wipers are inspected regularly and replaced as necessary?
- What procedures are there for reporting defects and are they remedied promptly?
- How do you ensure maintenance and repairs are carried out to an acceptable standard?
- Do you have a clear policy that unsafe vehicles should not be driven?

Are you sure that drivers' health, and possibly safety, is not being put at risk, e.g. from an inappropriate seating position or driving posture?

- Do you take account of ergonomic considerations (e.g. driving position and how accessible the controls are) before buying or leasing new vehicles?
 - Do you involve drivers in decisions about seating design?
 - Do you provide drivers with guidance on good posture and, where appropriate, on how to set their seat correctly?
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Safe journey

Do you plan routes thoroughly?

- Could you use safer routes which are more appropriate for the type of vehicle doing the journey?
- Motorways are the safest roads and although minor roads may be fine for cars, they are less safe and could cause difficulties for larger vehicles.
- Does your route planning take account of overhead restrictions, e.g. bridges and tunnels and other hazards, such as level crossings, which may present dangers for long vehicles?
- Can you eliminate or reduce long road journeys by combining with other ways of working or other forms of transport?
- Do you plan routes in consultation with drivers or their representatives, taking account of, for example, the need for rest breaks and access to toilets and washing facilities?

Are work schedules realistic?

- Do you take account of periods when drivers are most likely to feel sleepy when planning work schedules? Sleep-related incidents are most likely between 2 am and 6 am and between 2 pm and 4 pm.
- Have you taken steps to stop employees from driving if they feel sleepy, even if this might upset delivery schedules?
- Where appropriate, are tachographs fitted to vehicles and regularly checked? There are other in-vehicle monitoring and telemetry devices which help to ensure drivers are not putting themselves and others at risk.
- Do you try to avoid periods of peak traffic flow?
- Do you make allowances for new starts, young workers and trainee drivers?

Do you allow enough time to complete journeys safely?

- Do journey times take account of road types and conditions, and allow for rest breaks? The Highway Code recommends that drivers should take a 15-minute break every two hours.
- Are you aware that professional HGV drivers must comply with the rules for drivers' hours?

There is more information at:

www.gov.uk/drivers-hours/overview.

- Does company policy put drivers under pressure and encourage them to take unnecessary risks, e.g. to exceed safe speeds because of agreed arrival times?
- Do you allow drivers enough time to safely deliver loads?
- How do you ensure drivers are not being asked to work an exceptionally long day? Remember that sometimes they will be starting a journey from home.
- Have you considered advising drivers who work long or irregular hours of the dangers of driving home from work when they are excessively tired?
- Could they consider an alternative, such as an overnight stay?



Do you consider poor weather conditions, such as snow or high winds, when planning journeys?

- Can your journey times and routes be adjusted to take account of poor weather conditions? Where this is possible, is it done?
- Are vehicles properly equipped to operate in poor weather conditions, e.g. are anti-lock brakes or winter tyres fitted and is windscreen washer fluid the correct strength for freezing conditions?



- Do drivers understand what to do to reduce risk, e.g. do drivers of high-sided vehicles know they should take extra care if driving in strong winds with a light load?
 - Do drivers feel pressured to complete journeys where weather conditions are exceptionally difficult and do they know who to contact if they need to cancel a journey?
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References

1. Reported casualties in accidents by journey purpose and casualty type
(Department for Transport statistics, updated annually)
2. Health and Safety at Work (Northern Ireland) Order 1978
3. The Management of Health and Safety at Work Regulations (Northern Ireland) 2000 (as amended)
4. Consulting Employees on health and safety: A brief guide to the law
5. Corporate Manslaughter and Corporate Homicide Act 2007
6. Plan, Do, Check, Act: An introduction to managing Health and Safety
7. Highway Code
8. Using Contractors: A brief Guide

Find out more:

Whilst you may find these contacts useful the Health and Safety Executive for Northern Ireland, the Department of the Environment and the Police Service for Northern Ireland do not endorse or approve content of sites/publications

Driving at work: Managing work-related road safety

The health and safety toolbox: How to control risks at work

IOSH Management of occupational road risk information Management of work-related road safety

Managing occupational road risk associated with driver fatigue.

A good practice guide Road safety advice, information and resources

Driving for work information

Work related road safety case studies

Other useful contacts

A. Brake - The road safety charity

Brake and Interactive Driving Systems Fleet Safety Benchmarking

B. British Safety Council

C. Freight Transport Association

D. Occupational Road Safety Alliance

E. Road Haulage Association

F. Roadsafe

G. Road Safety Council Northern Ireland

H. www.drivingforbetterbusiness.com

Further information

For more information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hseni.gov.uk. You can view HSENI guidance online; alternatively, publications are also available on a wide range of subjects.

This guidance is issued by the Health and Safety Executive for Northern Ireland, the Department of the Environment and the Police Service of Northern Ireland.

Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance.

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www.nidirect.gov.uk/campaigns/road-safety



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