



Use of Vehicle Policy

Ilfracombe Town Council

1 General Statement

It is the Council's policy to take all reasonable steps to manage the health and safety of those staff that drive on Council business. This is to comply with the Council's legal duties as an employer and to demonstrate that all reasonable steps have been taken to introduce safe systems of work. It is for this reason that the Council's policy not only sets out its procedures on work related driving, but details what is expected from its employees; both in terms of complying with relevant legislation and the Council's own standards. These cover a variety of areas including the documentation required from employees driving Council vehicles, as well as basic guidelines on driver health.

This policy applies to all Council employees who drive in connection with their employment whether in their own vehicle, a Council vehicle or any other vehicle used for Council business, for example leased and hired vehicles.

2 Legal Position

The Council has a duty under the Health and Safety at Work Act 1974 (HSWA), to take steps as far as reasonably practicable, to ensure the health, safety and welfare of those who need to drive as part of their job. In order to comply with these duties, the Council will take steps to set up safe systems of work in order to control and manage any risks, which cannot be eliminated. These will be identified by the carrying out of a suitable and sufficient risk assessment as required by the Management of Health and Safety at Work Regulations 1999 (as amended). Where applicable, this policy is also based on relevant provisions of the Road Traffic Act 1988.

The Council arranges insurance for all vehicles it owns. All staff that are required to drive vehicles as part of their role will be insured under this policy providing they have a valid licence to drive and have not been disqualified from driving.

3 Procedures

In order to comply with legal duties, the Council have introduced a set of procedures. These are to be followed by staff at all times and are as follows:

- Where a Council vehicle is used, employees must always report any suspected vehicle defects to the Town Clerk. In the event that a defect is suspected, staff should never take a risk and attempt to drive a vehicle.
- If an employee uses their own vehicle for Council business, they will be required to maintain it in a roadworthy condition and have appropriate insurance.
- The driver should undertake weekly basic checks of oil, lights, tyre condition and tyre pressures, steering, brakes, windscreen washers and wipers, and the condition of the vehicle generally.

- Staff should always drive within speed limits and according to the prevailing weather conditions.
- Staff driving Council vehicles should familiarise themselves with the procedure to follow in the event of a breakdown or emergency situation.
- Vehicles must be locked, windows closed and all keys removed whilst unattended. Movable valuables, owned by the Council should be removed from the vehicle or locked out of sight when the vehicle is left unattended.
- The Council does not permit the use of Company vehicles for social, domestic or pleasure use. Vehicles are to be used only in association with authorised Council business.
- The Council does not permit any of its vehicles to be taken out of the UK.
- Overnight parking at the residence of a Council staff member is only permitted with prior authorisation from the Town Clerk.
- Council vehicles are **NOT** permitted to carry passengers who are not work related.

4 Documentation

In order for the Council to comply with legal duties, it is the responsibility of the Operations Supervisor to ensure that all insurance policies, MOT certificates and service history documents are up to date and filed accordingly.

5 Employee Duties

Section 7 of the HSWA also places a responsibility on employees to assist the Council in complying with its legal duties. They are also required to be mindful of their own health and safety and that of others who may be affected by their activities. To this end, employees are expected to follow the procedures laid down by this policy and to:

- Make available copies of their driving licence annually when requested to do so.
- Inform the Town Clerk of any changes in circumstances e.g. penalty points, health issues.
- Make sure that the vehicles are kept in a roadworthy condition including all appropriate documentation and servicing.
- Driving whilst under the influence of drugs and alcohol is strictly prohibited and subject to disciplinary action.
- Have regular eye tests and ensure that any necessary corrective eyewear is worn.
- Drive within legal speed limits and follow Highway Code guidance at all times. The driver is representing the Council whilst driving at work and must show consideration and avoid the temptation to respond aggressively towards discourteous road users, so as to minimise possible 'road rage'.

6 Ill-health and Driving

Employees are responsible for ensuring that they are physically fit to drive. Should this change, the Town Clerk must be informed as soon as possible. Drivers should also remember that some prescription drugs can cause drowsiness and affect the ability to drive safely and should therefore seek medical advice if in doubt as to the effect of any prescribed medication they are taking.

7 Vehicle Air Pollution

Running an engine whilst a vehicle is stationary pollutes the environment and is against the law on a public road. Turning off the engine improves local air quality, lowers noise pollution, reduces the amount the Council spends on fuel and complies with the law.

8 Fuel

It is the driver's responsibility to ensure the level of fuel is maintained in the Council vehicle. A fuel payment card supplier by the Council should be used whenever possible. Authority to use the fuel payment card supplied by the Council can only be authorised by the Town Clerk.

9 Seat Belts

All drivers and passengers must wear the seat belts provided in vehicles. Failure to do so is an offence and the offender is responsible for paying any fines incurred.

10 Use of mobile phones and radios whilst driving

The use of a hand-held mobile phone or radio whilst driving is illegal and strictly prohibited by the Council. This also applies whilst stationary at traffic signals or in traffic queues. Drivers still risk prosecution for failure to have proper control if they use a hands-free phone whilst driving.

11 Smoking

Smoking is prohibited in all vehicles at all times and whilst operating any plant and machinery.

12 First Aid Kits

All Council vehicles **MUST** carry a first aid kit. Drivers of Council vehicles are responsible for regularly checking the first aid kit to ensure it is complete and not time expired.

13 Fines

The Council accepts no liability for fines incurred following offences involving the Council vehicles and the responsibility for such offences e.g. speeding, careless driving, drinking and driving etc. is placed firmly with the driver. The driver must immediately inform the Town Clerk of any such offences.

Should the driver of the vehicle at any time incur a fixed penalty parking fine, they must settle this themselves within the time specified and this will not be reclaimable from the Council.

14 Reporting

All accidents and incidents involving any person driving a Council vehicle must be reported immediately to the Town Clerk. The driver of the Council vehicle must provide written details within 24 hours of the accident. Failure to notify the Council of an accident will be treated as a disciplinary offence and may, subject to the nature of the accident, be treated as gross misconduct. Any accident whilst on Council business will be investigated to determine whether the Council's disciplinary procedure will be invoked. Drivers deemed to be at fault in the event of an accident may be required to undertake additional driver training.

In the event of a breakdown, the driver of the Council vehicle must notify their line manager or the Town Clerk as soon as reasonably practicable of the vehicle location and problem (if known).

15 Towing a Trailer

The need to manage the use of trailers and ensuring safety of employees whilst at work and the safety of other relevant persons in the vicinity of a trailer is essential.

16 Driving licence rules

The rules on what an employee can tow are different depending on when the employee passed their driving test. All driving licences must be checked by the Town Clerk to ascertain that an employee is entitled to tow and to what weight limit upon their commencement of employment with the Council.

Licences issued from 19 January 2013

- From 19th January 2013, drivers passing a category B test can tow a small trailer weighing no more than 750kg.
- A trailer over 750kg may be towed as long as the combined weight of the trailer and towing vehicle is no more than 3,500kg Maximum Authorised Mass (MAM).
- When the combined weight of the towing vehicle and trailer is more than 3,500kg a further test of B + E entitlement is required.

Licences held from 1 January 1997

- Drivers qualified from 1 January 1997 and have an ordinary category B licence can drive a vehicle up to 3.5 tonnes or 3,500kg MAM.
- Tow a trailer over 750kg MAM as long as the combined weight of the trailer and towing vehicle is no more than 3,500kg.

Licences held before 1 January 1997

- Employees with driving licences obtained prior to 1 January 1997 will keep their original entitlement to tow trailers until the licence expires. The driver will be permitted to tow a vehicle and trailer combination that has a combined weight of 8.25 tonnes MAM.

17 Procedure for Towing a Trailer

The following procedures have been introduced in keeping with the regulation set by the DVLA:

- Training will be provided to staff who have not frequently driven with a trailer at work.
- Regular checks should be undertaken each time the trailer is used. These checks shall include tyre pressure, handbrake operation, the appropriate registration plate is fitted, lights are in full working order, breakaway cable is in place, tow bar and auxiliary lighting socket are working as they supposed to be.
- Corrosion must be visually checked for on a regular basis. Any signs of corrosion or other problems must be checked by a mechanic and rectified immediately. The trailer must be compatible with the towing vehicle; both must be in a road worthy condition (MOT certified), have fully working lights and have the operator's handbook. The trailer must have brakes if over 750kg or be a double axel trailer if stated as a requirement.
- The driver should always be aware of the height and weight being towed against the MAM (maximum authorised mass) of the vehicle. This will be detailed in the user's manual.
- In order to connect the trailer to the vehicle, the driver should reverse the vehicle to line up the trailer and then connect the vehicle and electrical system safely and securely. The trailers functions must all be checked.
- When connecting the trailer to the towing vehicle the following should be tested: tail lights, brake warning lights, number plate lights, indicator lights and brakes. The breakaway cable/chain is to be checked that it is securely attached to the vehicle hitch.
- To load the trailer the driver must ensure that the vehicle is parked in an appropriate area, stabilisers, ramps or a trailer winch may all be required depending on the load. The load should be placed evenly between both axles.
- Different loads will require various methods of securing to avoid damage. The driver must use their initiative and knowledge of using trailers when choosing which method to secure load. Wheel locks, tarpaulin, netting, ropes and straps are all effective.
- When entering into the public domain normal driving regulations apply with extra caution. The driver must ensure that the vehicle moves off smoothly, the correct gears are engaged in accordance to the requirements of the trailer and speed limits, extra care on corners and the positioning of the vehicle on the road. Braking should be prompted earlier than when driving a normal vehicle. Attention must be given to slopes, wet surfaces and rough ground.
- Reversing requires extra care by ensuring correct vehicle positioning and avoiding kerbs. Caution to be taken at all times especially around corners.
- When parking and removing the trailer the handbrake must be secure before the engine is turned off. The trailer should be disconnected from the vehicle hitch and the electrical socket stored safely.

18 Ride-on Mower

Before using the ride-on mower employees must ensure that:

- Their driving licence entitles them to do so.
- The flashing beacon is functional and in use.
- The blades are disengaged and in the 'up' position.

- The tyre pressures and tyre conditions are checked.
- All attachments are properly secured.
- There is sufficient fuel in the tank for the journey.
- The operator is wearing high visibility clothing provided by the Council.
- It is only used in full daylight.
- Any defects and faults are reported immediately (a vehicle must not be used if the fault breaches road traffic regulations).
- The vehicle is not left unattended in any circumstances.

19 Using private vehicles for Council business

The following applies to all members of staff who drive their own private vehicles for Council related business:

- All staff members must be in possession of a current and full driving licence at all times. Upon request, the employee must provide their driving licence for inspection.
- Employees must ensure their insurance policy specifically covers using the vehicle for business travel. Upon request, the employee must provide a copy of their insurance certificate confirming business travel cover.
- Employees must ensure their vehicle has a valid MOT certificate and may be required to submit a copy on request.
- Mileage allowance will be paid in accordance with the Council's Staff Expenses Policy for approved journeys. Journeys to and from an employee's residence to their place of work are excluded.
- Employees must ensure that their private vehicles are in a roadworthy condition, that it conforms to current road traffic legislation and regularly serviced at the recommended intervals. Regular checks should be made of tyres, lights, brakes, fuel, water coolant, screen wash and battery.

Fines

Employees are responsible for the payment of any fines or charges incurred as a result of a motoring offence committed whilst driving on Council related business.

Accidents

Employees must report any accident in which they are involved whilst on Council related business to the Town Clerk regardless of fault.

Passengers

Employees must comply with the vehicle manufacturers design specification when carrying passengers. The driver and all passengers must wear seatbelts.

Use of mobile phones

Refer to section 10 of this policy

Failure to observe these rules will be regarded as a disciplinary offence and will be dealt with in accordance with the Council's disciplinary procedure. Depending on the seriousness of the breach it may constitute gross misconduct rendering the employee liable to dismissal.

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