

CARDIFF COUNCIL

CODE OF GUIDANCE

USE OF PRIVATE VEHICLES FOR COUNCIL BUSINESS

Purpose

This Code of Guidance is intended to provide information and guidance to managers and staff on the legal requirements and safe use of private vehicles prior to staff being authorised to use them on Council business. The guidance is set out as follows:

- 1.0 General information**
- 2.0 Health and safety legal requirements**
- 3.0 Risk assessment for work-related driving**
- 4.0 Management responsibilities**
- 5.0 Employee responsibilities**

[Appendix A](#) – Types of licence and age restrictions

1.0 General information.

- 1.1 It has been estimated that up to a third of all road traffic accidents involve somebody who is at work at the time. This may account for over 20 fatalities and 250 serious injuries every week in the United Kingdom. Health and safety law applies to driving work activities as to all work activities, and the risks should be effectively managed.

2.0 Health and safety legal requirements

- 2.1 The Health and Safety at Work etc Act 1974 requires the Council as an employer, to ensure, so far as is reasonably practicable, the health and safety of all employees whilst at work and including others affected by their activities. This includes ensuring the health and safety of employees who drive as part of their job and others who may be affected by work-related driving activities.
- 2.2 The Management of Health and Safety at Work Regulations 1999 require the Council to manage health and safety effectively and to carry out assessments of the risks to the health and safety of its employees, whilst they are at work, and the other people who maybe affected by work activities.
- 2.3 Health and safety legislation does not apply to commuting, unless the employee is travelling from their home to a location that is not their usual place of work.

3.0 Risk assessment for work-related driving

3.1 Risk assessment for work-related driving should be included in the general risk assessment process. It follows the same principles as risk assessments for any other work activity (refer to Cardiff Council Code of Guidance – Risk Assessment) and should be recorded.

3.2 Particular areas to be considered in the risk assessment process for work – related driving include: -

- the driver e.g. validity of driving license (see [Appendix A](#)); young or newly qualified drivers; older drivers; experience of driving long distances; need for additional training; eyesight tests as in the Highway Code; use of medication which may impair judgement; disabilities; awareness of need for regular maintenance checks
- the vehicle e.g. insured for business use; valid MOT certificate if vehicle is over three years old; taxed
- the journey e.g. length of journey use of other forms of transport
- the weather conditions

4.0 Management responsibilities

4.1 Service Areas should have procedures in place to ensure employees required to drive their private vehicles on Council business on appointment, and annually thereafter show: -

- i) a current driving license valid for driving the intended vehicles which is not provisional and is valid, i.e. the driver is not banned or disqualified from driving
- ii) privately owned vehicles used for work purposes are insured for business use whether for casual or essential use
- iii) vehicles over three years old have a valid MOT certificate.

4.2 Managers should ensure that they are not expecting staff to drive unreasonable distances (e.g. consider use of other means of transport), in unreasonable weather or in unreasonable time scales. Managers should not expect excessive amounts of equipment or materials to be carried (NB. Manual handling risk assessment required).

4.3 Managers should ensure that driving of private vehicles for work purposes is included in the risk assessment process and that staff are made aware of relevant Codes of Guidance and in particular, this Code and the Code of Guidance – Driving.

4.4 Managers should regularly review the requirements for people to drive their vehicles for work purposes.

4.5 If the manager cannot sight the information in 4.1 above or is not happy that the individual has business use insurance, they should not allow the member of staff to drive their vehicle in work time.

5.0 **Employee responsibilities**

5.1 Employees are responsible for

- i) ensuring they have a current driving licence and appropriate insurance for the vehicle to be driven
- ii) notifying their line manager of any driving conviction, loss of license, illness or use of medication which may affect their ability to drive safely
- iii) satisfying the eyesight requirements set out in the Highway Code
- iv) complying with Road Traffic Rules and Regulations (including the Highway Code)
- v) not using a mobile telephone whilst driving
- vi) maintaining their vehicle in a roadworthy condition
- vii) ensuring on long journeys they take a 15 minute break at least every 2 hours
- viii) not continuing with a journey if they feel unwell or too tired to drive safely
- ix) making sure they are conversant with the advice contained in the Cardiff Council Code of Guidance – Driving.

Further Information

Cardiff Council Codes of Guidance – Driving, Mobile Phones, Risk Assessment.

Driving at Work – Managing work – related road safety (HSE publication INDG 382).

The Highway Code – Department of Transport and the Regions

Appendix A

TYPES OF LICENSE AND AGE RESTRICTIONS

In order to drive a car or light van up to 3.5 tonnes gross vehicle weight, the driver is required to have category B on their Driving licence (this refers to a “pink” EU licence, on an old style green UK licence it is class A). The minimum age to drive this type of vehicle is 17.

In order to drive a moped up to 50cc with a maximum speed of 50kph the rider must have a provisional or full moped license and be at least 16 years old.

In order to drive a motorcycle up to 125 cc the rider must have category A1 on their licence and must be a minimum of 17 years old.

In order to ride a motorcycle above 125 cc the rider must have category A on their licence and be a minimum of 17 years old.

Staff learning to ride motorcycles on a provisional licence **must not** carry pillion passengers.