

SAFE WORKING PROCEDURE

Safety of Licensed Goods Vehicles

CORPORATE HEALTH & SAFETY | VERSION 3.1 | December 2022

STATEMENT:

In order to comply with legislation and fulfil statutory responsibility, the Council must make sure that:

- Vehicles used in the name of the Council are roadworthy and comply with road traffic legislation.
- All drivers are qualified to drive and not disqualified.
- All vehicles are insured for business use, are taxed and have a relevant MOT certificate where required.

SCOPE:

This Safe Working Procedure applies to:

- All managers referred to as managers herein.
- All employees of Southampton City Council.
- All contractors working on behalf of the Council.

1. Responsibilities

Managers are responsible for ensuring:

- 1.1. This SWP is complied with

Managers are responsible for ensuring compliance with the SWP and must:

- 1.2. Ensure that drivers are properly qualified and competent to drive/operate the type of vehicle, and that they have the correct "Authority to Drive". Managers must keep a record of who is driving the vehicle at any time.
- 1.3. Arrange a proper maintenance regime for vehicles, and that drivers make the necessary daily checks on the vehicle as per the vehicle blue book. Managers must ensure that drivers use the defect reporting system properly.
- 1.4. Ensure that all persons riding in the vehicle are aware of the rules for wearing seat belts.
- 1.5. Ensure that all persons are aware of their responsibilities for not overloading the vehicle.
- 1.6. Ensure that drivers understand the need to drive always at an appropriate safe speed.
- 1.7. Ensure that drivers understand the rules about mobile phones.
- 1.8. Have a system for restricting and recording drivers' hours in order to comply with statutory limits.
- 1.9. Ensure that drivers understand the procedures to be followed if the vehicle breaks down or is involved in an accident as per the vehicle blue book.
- 1.10. Ensure that all persons who use vehicles are aware of the Authority policy on smoking and of the law on smoking free vehicles.
- 1.11. Identify hazards and high risk groups (learners and recently qualified) associated with driving at work using the risk assessment form. See SWP Risk Assessments.
- 1.12. Identify where employees may be exposed to driving for long distances or for long periods of time using the risk assessment form.
- 1.13. Ensure that reasonable and practicable measures are in place to minimise the risks of driving.
- 1.14. Ensure that driver's tachographs are kept for a minimum period of 2 years.
- 1.15. When required to transport dangerous goods, that drivers hold an ADR license for such operations.
- 1.16. Consider the following strategies to minimise the risks:
 - 1.16.1. Applying an assessment of whether driving is really needed.
 - 1.16.2. Using other forms of transport.
 - 1.16.3. Using driving lights during daytime.
 - 1.16.4. Staying overnight when driving long distances to avoid drowsiness.
 - 1.16.5. Ensuring loose items are carried behind cargo barriers.
 - 1.16.6. Providing, where identified by risk assessment, training for staff in safe driving practices, defensive and collision avoidance training.
 - 1.16.7. Ensuring the employee is familiar with the class/ type of vehicle being driven.
 - 1.16.8. Ensure that the legal limits on driving hours are not exceeded.
 - 1.16.9. Providing, where identified by risk assessment, health surveillance or eyesight test.
 - 1.16.10. Minimising exposure to alcohol; don't provide alcohol at meetings when attendees have to drive.

Drivers must:

- 1.17. Ensure they have correct licence.
- 1.18. Comply with all legal requirements for driving including the correct license, insurance and level of fitness.
- 1.19. Carry out the relevant daily checks as per the vehicle blue book.
- 1.20. Ensure the driver, passengers and the vehicle is covered by an appropriate insurance policy, which includes use for business purposes.
- 1.21. Ensure that the vehicle is, and will be kept in a roadworthy state, complies with all legal requirements, and is suitable for the task.
- 1.22. Not place themselves or others at risk of injury.
- 1.23. Participate in driving risk assessments and consulting with management in relation to appropriate risk control measures.
- 1.24. Report all vehicle related incidents to relevant manager/Fleet transport.

- 1.25. Immediately inform line manager of any change in circumstances, which affect the use of a Southampton City Council/private vehicle for duty purposes.
- 1.26. Produce, upon request, driving licence, insurance certificate and MOT certificate (if appropriate).
- 1.27. Not drive vehicles when adversely affected by alcohol and where the taking of medication or drugs may induce drowsiness.
- 1.28. Ensure that they hold a valid ADR licence when required to transport dangerous goods.

2. Procedures

- 2.1. Southampton City Council has to hold an Operator's Licence, issued by the Traffic Commissioners in respect of its vehicles which are over 3.5 tonnes gross vehicle weight.
- 2.2. On the licence there are nominated persons who are holders of a certificate of Professional Competence.
- 2.3. To keep the licence in force, it is necessary for the council and its drivers to:
 - 2.6.1. Ensure that vehicles are operated in a safe and proper manner.
 - 2.6.2. Comply with drivers hours regulations.
 - 2.6.3. Carry out vehicle safety inspection at agreed intervals.
 - 2.6.4. Ensure that driver/vehicle checks are carried out.
 - 2.6.5. Have a vehicle defect reporting scheme.
 - 2.6.6. Ensure that vehicles are not overloaded.

Drivers' Hours

- 2.4. Southampton City Council operates under the 'Domestic Regulations' for local operations and the 'ADR Regulations' for international journeys.
- 2.5. Managers must ensure that drivers are aware of the regulations that apply to their particular operation.
- 2.6. The driver of the vehicle must complete a written record:
 - 2.6.1. Daily – a tachography must be used in the tachograph head; or must be filled out by hand on its reverse side. A digital tachograph must have a digital tachograph card.
 - 2.6.2. Weekly - a driver's record sheet must be completed.
- 2.7. The Transport Commissioners do not require these daily and weekly records to be kept if a vehicle never travels more than 50 km from the depot and is never driven for more than 4 hours a day. They could, however, require the Authority to indicate who was driving, and what the vehicle was doing on any specified day.

Authorisation of drivers and driver competence

- 2.8. The Managers of any drivers who are driving at work must be satisfied that drivers are in possession of a valid driving licence for the vehicle that they are driving. Drivers are responsible for advising management of any change which affects the validity of their licence. They must also advise management of any medical condition which affects their ability to drive. All employees who drive a vehicle belonging to the City Council must be in possession of an "Authority to Drive" issued by Fleet Transport Section.
- 2.9. A medical examination is mandatory for drivers over the age of 45 who drive vehicles in categories C (but not C1) and above.
- 2.10. Managers must have a procedure for keeping a record of who is driving any vehicle on any day.
- 2.11. Drivers have a legal duty to protect themselves, passengers and members of the public from injury. A driver becomes responsible for the vehicle immediately after taking control of the keys, and a 'walk

round' check of the vehicle must be made before taking it out for the first time each day as per the vehicle blue book. If a change of vehicle is made during the day, the driver must make a check of the new vehicle.

- 2.12. Any defects must be entered onto a 'Vehicle Defect Report'. Within the Authority, the procedure is extended to require 'nil defect' reports. The report must be given to a responsible person who can authorise appropriate action. See [Appendix 1](#).
- 2.13. General maintenance must also be carried out to a regular programme as per SWP Work Equipment and Lifting Operations and Lifting Equipment. All maintenance work must be done by competent persons. All ancillary equipment such as lifts, roof racks, securing equipment must be included in maintenance programmes. All vehicles must have a current MOT certificate where applicable.

3. Guidance

3.1. Breakdown

In the event of a breakdown the driver should follow the instructions contained in the vehicle blue book.

3.2. Accidents

If a road accident occurs and it results in personal injury, vehicle damage, damage to property or injury to an animal, the driver must stop and give certain information to any person who has reasonable grounds for requiring the information, guidance is given in the vehicle blue book. Incidents involving injury must also be reported as per SWP Accident/Incident Reporting and Investigation.

3.3. Incidents

If any incident occurs and results in action by a police officer or traffic warden, the driver must report the incident to their line manager.

4. Safe Working Procedures Relevant to This Document

- 4.1. Driving Vehicles While Working
- 4.2. Work Equipment
- 4.3. Lifting Operations and Lifting Equipment
- 4.4. Risk Assessment
- 4.5. Manual handling

Note: Other safe working procedures may apply and the assessor should consult the SWPs. An A-Z is available on the Council's [Health and Safety Intranet](#) and [School Guidance](#) web pages

5. Main Legislation Relevant to This Document

- 5.1. [Health and Safety at Work etc Act](#)
- 5.2. [The Management of Health and Safety at Work Regulations](#)
- 5.3. [Road Traffic Act](#)
- 5.4. [ADR Regulations](#)
- 5.5. [UK Domestic Regulations](#)

6. Contact Address's and Guidance Links

- 6.1. Health and Safety Executive
www.hse.gov.uk
 - 6.1.1. [HSG 136 Workplace Transport Safety](#)
 - 6.1.2. [INDG 199 Workplace Transport Safety an overview](#)

- 6.1.3. [INDG 379 In Road Haulage](#)
- 6.1.4. [INDG 413 Preventing Falls from Vehicles](#)
- 6.2. Department for Transport
 - 6.2.1. [The Highway Code](#)
 - 6.2.2. [Drivers Hours Rules](#)
- 6.3. Health and Safety Executive
www.hse.gov.uk
- 6.4. Directgov
www.direct.gov.uk
 - 6.4.1. [Highway Code](#)
 - 6.4.2. [Motoring](#)
- 6.5. Department of Transport
www.dft.gov.uk
- 6.6. The Automobile Association
www.theaa.com
- 6.7. RAC Motoring Services
www.rac.co.uk
- 6.8. Corporate Health and Safety Service
[Health and Safety Intranet](#)
[Schools Guidance](#)
- 6.9. Fleet Transport
Fleet.Transport@southampton.gov.uk
- 6.10. Sustainable Travel
[Staff Travel Information](#)

For full contact address visit the health and safety intranet [Useful Contacts](#).

Appendix 1

Defect Reporting

1. Drivers are responsible for the condition of their vehicles when in use on the road and must, therefore, be able to report any defects or symptoms of defects that could prevent the safe operation of vehicles.
2. In addition to daily checks drivers must monitor the road worthiness of their vehicles when being driven and be alert to any indication that the vehicle is developing a fault e.g. warning lights, exhaust emitting too much smoke, vibrations or other symptoms. On walk round checks the driver should identify any serious defects and, **if found, not to use the vehicle on the road until repaired.**
3. Any defects found during daily checks, whilst the vehicle is in use, or on its return to base, must be the subject of a written report by the driver or some other person responsible for recording defects.
4. The details recorded should include
 - 4.1. Vehicle registration (Identification mark)
 - 4.2. Date
 - 4.3. Details of the Defects or Symptoms
 - 4.4. Reporters Name.
5. It is common practise to use a composite form, which also includes a list of the items checked each day. **Southampton City Council has adopted a policy of a “Nil” reporting when each driver makes out a report sheet whether or not there is a defect.**
6. All drivers’ defect reports must be given to a responsible person with sufficient authority to ensure that any appropriate action is taken. This might include taking the vehicle out of operation.
7. Any report listing defects is part of the vehicle’s maintenance record and must be kept, together with details of the remedial action taken, for at least 15 months.
8. “Nil” defect reports should be kept for as long as they are useful. Normally this is until the next one is received or until the next scheduled safety inspection is undertaken. “Nil” defect reports are not required under the conditions of operator licensing. However, they are a useful means of checking that the driver is carrying out duties as required.