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SAFE DRIVING AT WORK PROCEDURE

Introduction and aim

Public Health Wales is committed to ensuring the health, safety and welfare of its staff and those who are affected by its activities. This procedure has been developed in line with the requirements of the Health and Safety at Work etc., Act 1974.

This procedure is intended to enable and support line managers and employees within the Trust to comply with appropriate legislation and the organisation's Health and Safety Policy, and the Employee Expenses Policy and Procedure, for the use of vehicles driven by employees whilst on Public Health Wales business.

Linked Policies, Procedures and Written Control Documents

[All corporate policies and procedures are available on the Public Health Wales website](#)

- Health and Safety Policy
- Moving and Handling Procedure
- Counter Fraud and Corruption Policy
- Provision of First Aid Procedure
- Incident Management Policy
- Lone Working Policy
- Security Policy (to be developed)
- Substance Misuse (drugs and alcohol) Policy

Scope

This procedure and any arrangements made under it applies to:

- all persons employed or engaged by Public Health Wales, including part time workers, temporary and agency workers, those holding honorary contracts and those engaged by the NHS Wales Health Collaborative.

Equality and Health Impact Assessment	An Equality, Welsh Language and Health Impact Assessment has been completed and can be viewed on the policy webpages.
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Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or [Board Business Unit](#).

Summary of reviews/amendments				
Version number	Date of Review	Date of Approval	Date published	Summary of Amendments
1	2023	01/02/24	28/03/24	New procedure developed

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1 Introduction

HSE Guidelines 'Driving at Work', state that "*health and safety law applies to on- the-road work activities as to all work activities and the risks should be effectively managed within a health and safety system*".

Therefore, Public Health Wales NHS Trust has a legal duty under the Health and Safety at Work etc. Act 1974 to manage the risks (as far as reasonably practicable) to the health, safety and welfare of those who need to drive as part of their job or while they are engaged in work activities.

The Management of Health and Safety at Work Regulations 1999 also apply and require that a risk assessment is undertaken of any significant risks and that effective management controls are put in place and implemented. When considering driving safety there are a number of road traffic laws to also take into account, these include: -

- The Road Traffic Act 1988 as amended 1991
- Road Safety Act 2006
- The Road Traffic Regulation Act 1984;

2 Purpose

This procedure is intended to enable and support line managers and employees within the Trust to comply with appropriate legislation and the organisation's Health and Safety Policy, Counter Fraud and Corruption Policy and the Agenda for Change Terms and Conditions, for the use of vehicles driven by employees whilst on Public Health Wales business.

Public Health Wales recognises that for some activities the use of vehicles is essential however to support the organisations decarbonisation agenda, the use of vehicles for business should be considered and where possible, making use of green travel options, public transport and active travel should be prioritised.

3 Responsibilities

3.1 The Accountable Officer

The Accountable Officer has overall accountability and responsibility for all matters involving health, safety, welfare and fire appertaining to Public Health Wales NHS Trust. It is also the responsibility of all Directorate and

Divisional leads to manage health and safety issues within their respective areas.

3.2 Executive Directors and Deputy Directors

Overall and final responsibility for health and safety and legal compliance lies with the Executive Team who will receive and review regular reports on progress through the quarterly Health and Safety Report.

3.3 Line Managers

Line Managers have a duty of care towards employees for whom they manage and to ensure that this procedure is implemented and complied with on a day- to-day basis. They are responsible for bringing this procedure to the attention of all employees within their department who are likely to drive for business purposes and for ensuring that employees comply with its obligations;

- Shall undertake annual checks of vehicle documents to monitor compliance of staff who use their own vehicle for work as part of the My Contribution process. For those staff driving Public Health Wales owned or managed vehicles, line managers should undertake checks during the recruitment stage and on an annual basis. Public Health Wales operates within its organisational values 'working together, with trust and respect' and therefore copies of these documents are not required to be kept however it should be recorded as part of the My Contribution discussion and paperwork.
- Shall be involved with the monitoring, reporting and investigation of any work-related accident involving an employee whilst driving at work.
- Ensure an assessment of all risks, including risks not associated with the driving, e.g., manual handling, lone working etc. are undertaken. This will include the carriage of any goods for work related business.

3.4 Staff where driving is a specific requirement of their role e.g. Screening fleet

All staff that are required to drive Public Health Wales owned or managed vehicles shall provide to their line manager or Fleet Manager:

- A copy of a valid driving licence
- Valid insurance documentation

For some vehicles, staff will need to undertake a driving assessment and presentation to ensure they are familiar with the vehicle, are competent and confident to drive the required vehicle and understand any additional restrictions specific to the vehicle.

3.5 All Staff

All staff that drive within the course of their duties are required to:

- Ensure that their vehicle is fit for purpose i.e. that the vehicle does not have any faults, which make it unsafe and is in a roadworthy condition;
- Drive at all times in a competent way, observing all traffic laws including the speed limits and rules on alcohol and drugs;
- Notify the organisation of any accident or collision they are involved in whilst on organisation business, and to assist where required with any subsequent investigation as to the cause of such occurrence: employees must also complete an accident/incident report;
- Inform their line manager of any prosecutions, licence restrictions or withdrawals or any health problems which may affect their ability to drive whilst on Public Health Wales business;
- Ensure they have a valid driving licence, insurance policy, MOT certificate (if applicable) and vehicle tax;
- Present their driving licence, Insurance documentation and MOT certificate (where applicable), to their employer for inspection on request;
- Add driving documentation to the E-expenses Portal under 'My details' including driving licence and insurance documents.
- Report any medical condition in accordance with the medical rules for driving as set out by the DVLA.

3.6 Committees and Groups

Any incidents, issues or concerns regarding driving at Work will be fed back to the Health and Safety Group and Quality, Safety and Improvement Committee as part of the Health and Safety Report.

4 Procedures / Processes

4.1 Risk Assessment for Driving while on Public Health Wales Business

An assessment of the risks for those driving on Public Health Wales business should be carried out.

The importance of the journey versus the risks of car travel should be assessed and reasonably practicable control measures put in place. Risk factors such as time of year, distance to be travelled, weather conditions, location, access to roadside assistance should be considered. Where relevant, additional risk factors such as fatigue, ergonomics and manual handling should also be taken into consideration.

Control measures such as the maximum hours to be driven per day and the need for adequate rest breaks should be detailed in the risk assessment. Risk assessment forms can be located on the Estates and Health and Safety webpages [here](#).

It is accepted that, for staff utilising their own or hired vehicles, a specific assessment would not normally be required for journeys of less than four hours.

For Public Health Wales managed or leased vehicles, staff are not permitted to drive for more than two hours without a 10-minute break or swapping drivers.

4.2 General Arrangements

Before embarking on any journey, drivers should always carry out basic vehicle checks to ensure the vehicles roadworthy condition. Drivers should ensure that sufficient breaks are built-in to prevent fatigue and allow for any bad weather or traffic congestion. Radio traffic bulletins on vehicle radios can often provide early warning of worsening traffic or weather conditions to allow alternative routes to be selected.

All drivers should familiarise themselves with any updates that may be periodically issued on road safety matters. These will include information on good practice as well as any forthcoming legal changes which affect those who drive for work.

4.3 Vehicles Used for Public Health Wales Business

Employees who drive their own vehicles on behalf of Public Health Wales are expected to ensure that their vehicles are roadworthy and serviced at the manufacturers recommended intervals. They must ensure they have valid Vehicle Tax. In addition, if the vehicle is more than three years old they must ensure that any vehicle used for work has a valid M.O.T. Certificate.

4.4 Licenses and Document Disclosure

All drivers must ensure they have a valid license (photo licence valid for 10 years). All employees who are driving for work purposes are required

to produce their licence for inspection when taking up their post. Staff claiming mileage expenses will also be asked to certify they have a valid driving licence. It is the responsibility of individual drivers to inform their line managers immediately if for any reason they have their license removed.

4.5 Insurance

Employees who drive for business purposes, which means anyone who claims for motoring travel expenses, must be covered by an insurance policy which permits the driver to drive a vehicle for 'business use' and **not** 'social, domestic and travel to and from their usual place of work' only. Any person not holding this level of insurance cover is not insured to drive on Public Health Wales business and hence should not be permitted to drive as part of their role. It is the responsibility of line managers to ensure the correct insurance is in place before the journey is made.

4.6 Seat Belts

All drivers and passengers must wear the seat belts provided in vehicles at all times.

4.7 Use of Mobile Phones in Vehicles

Since 1 December 2003 it has been illegal for drivers to use a handheld mobile phone when driving. Those found guilty will face a fine of up to £1,000 and penalty points for each offence.

It should be noted that under the legislation the definition of using a handheld mobile phone when driving **INCLUDES** using a hand-held mobile phone when the vehicle is stationary with the engine running on a Public Road.

The Trust prohibits the driver from using any mobile communication systems whilst driving unless the mobile system can be activated totally hands free. To be totally hands free there must be no need to take either of your hands off the steering wheel.

Although hands free can be used when driving it is important to consider if the road conditions are such that it is safe to do so. If the police think you're distracted and not in control of your vehicle you could still get stopped and penalised.

If you have a passenger, let them make or answer the call for you or you are driving alone, set the voice message facility to take the call for you; if you need to make a call, find a safe place to stop, do so and turn the engine off, before making the call.

Work related conference calls or other such meeting are **not** permitted whilst driving under any circumstances. Any person chairing such meeting, if they suspect any participant is driving, must instruct the driver to terminate the call immediately.

The use of smart phones, tablets for reading and responding to e-mails is also prohibited whilst the car engine is switched on. See rules included [here](#).

4.8 Drivers Health

The safety of any driver is affected by eyesight defects and all drivers have a legal duty to satisfy the eyesight requirements set by the DVLA.

No employee should drive at work under any circumstances which affect their ability to drive safely. It is the duty of any employee who is required to drive on Public Health Wales business to inform their Line Manager if they are suffering from any illness or health condition which impairs their ability to drive or if they are required to take medicine that might affect their judgement. No employee should drive at work when they are under the influence of alcohol or drugs.

Journeys should not be undertaken if a driver feels unwell, where the condition might affect their driving ability and judgement. Appropriate medical advice should always be sought before returning to drive after an operation or severe illness. Drivers should also remember that some prescription drugs or pharmacy purchased remedies can cause drowsiness and affect their ability to drive safely. In the event that any type of medication is necessary, and there is a possibility that it may cause effects such as drowsiness, employees should check with their GP or Pharmacist before driving, even for short distances.

Drivers also have an individual responsibility to report any medical condition diagnosed by a Registered Medical Practitioner which might adversely affect their ability to drive safely to the DVLA (as advised), and to their manager.

4.9 Workday duration when travelling long distances

Working long hours which includes driving long distances can increase the possibility of accidents. This risk increases when driving in poor conditions such as those caused by adverse weather conditions.

When attending meetings, training sessions etc. which involve driving to the venue, overnight accommodation should be made available through discussions with their line manager if the total of travel time and working day is deemed excessive.

When driving long distances all drivers should take a rest of 15 minutes after driving continuously for two hours.

4.10 Reporting

All accidents, incidents and near misses (e.g. near accident) involving any person driving on Public Health Wales business must be reported via the Datix Incident Reporting System and reported to the driver's line manager.

5 Related Documents

The Safe Driving at Work Procedure is supported by a number of other operational policies/procedures that provide more detailed guidance on certain aspects of health and safety. These documents do not supersede this procedure but should be read in conjunction with it. These documents are all available on the Public Health Wales Staff intranet.

A list of supporting policies/procedures are:

- Health and Safety Policy
- Moving and Handling Procedure
- Counter Fraud and Corruption Policy
- Provision of First Aid Procedure
- Incident Management Policy
- Lone Working Policy
- Security Policy (to be developed)
- Substance Misuse (drugs and alcohol) Policy

6 Review and Compliance Monitoring

6.1 Review

This policy will be reviewed at least every two years or more often if required in the light of good practice or experience.

6.2 Compliance Monitoring

Spot audits of compliance with documentation will be undertaken by the Estates and Health and Safety Division on a frequent basis. Trends in incidents whilst driving at work will be monitored by the Health and Safety Group.

7 Fraud Bribery and Corruption

Claiming for expenses when not correctly insured could result in fraud investigation/prosecution/disciplinary action including referral to professional bodies. This also includes continuing to claim for expenses when driving licence has expired.

Unfortunately fraud, bribery and corruption, as well as theft, does occur throughout the NHS, and as such all NHS employees have a duty to ensure that public funds are protected. Public Health Wales NHS trust is committed to reducing the level of fraud, bribery and corruption (economic crime) within the NHS to an absolute minimum and keeping it at that level, freeing up public resources for better patient care.

If an employee, manager or volunteer suspects that there has been a potential act of fraud, bribery or corruption against the organisation or the wider NHS, or has seen any suspicious acts or events, they must report the matter to the [NHS Wales Counter Fraud Team](#) .

8 Counter Fraud

This policy should be read in conjunction with the organisations policies covering counter fraud, bribery and corruption which can be found on the Public Health Wales [website](#) or you can contact a member of the Board Business Unit who will be able to supply a copy.

9 References

- The Health and Safety at Work etc. Act 1974;
- Management of Health and Safety at Work Regulations 1999;
- The Highway Code:
<https://www.gov.uk/browse/driving/highway-code>;
- HSE INDG 382 - Driving at Work, Managing Work related road safety: <http://www.hse.gov.uk/pubns/indg382.pdf>;
- Five Steps to Risk Assessment Leaflet
INDG163 (Rev 3):
<http://www.hse.gov.uk/pubns/indg163.pdf>;
- Royal Society for the Prevention of Accidents - Managing Occupational Road Risk:
http://www.rosipa.com/roadsafety/info/morr_sme.pdf

10 Glossary

Term/Abbreviation	Explanation/ Definition
Driving for work	Refers to any work carried out on Public Health Wales business that involves the employee in time spent driving a vehicle and covers all journeys other than to and from their normal10
Vehicle	Any motorised vehicle whose design is subject to regulation by the Road Traffic Act
Vehicle Driver	Any person in charge of or in control of a vehicle
Private Vehicle/ Grey Fleet	A vehicle not owned by or leased to the Trust but which is the property of an individual or a third party which is in use by a member of staff whilst travelling for company business, for example, to attend meetings at other sites authorised by the organisation
Public Road	Public road (as defined by the Highway Code) means a highway or any other road to which the public has access; this includes many roadways and car parks on private land.
Roadworthy	Roadworthy means that the vehicle is fully fit for task and that it complies with all legislation relating to driving of vehicles on the public road.