

IOSH response to the HSC work-related road safety task group

Discussion Document DDE16 - Preventing at-work road traffic incidents

INTRODUCTION

This is the response of the Institution of Occupational Safety and Health (IOSH) to the Discussion Document DDE16, Preventing at-work road traffic incidents.

This response has been formulated after a consultation with members of IOSH.

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Question 1.

Given the evidence, do you agree that action needs to be taken to reduce the incidence of at-work road traffic incidents?

IOSH agree that action needs to be taken to reduce the incidence of at-work road traffic incidents. It is important that a greater awareness of the issues involved is encouraged among both employers and employees.

If you agree, what action should be taken and why?

We feel actions should be risk based, and suggest the following:

Action: Improve reporting of at-work road traffic incidents (RTIs) under RIDDOR; encourage the review of significant at-work road risk control and its inclusion in company annual reports (as outlined in The Turnbull Report) and increase HSE investigation of all serious at-work RTIs. Also, facilitate more sharing of information between stakeholder groups.

Why? The causation data and statistics will help establish the causes and scale of the problem and help in developing prevention strategies and future research, and the requirement to both report and investigate will help focus employer attention on this aspect of work-related safety.

Action: Provide practical guidance for employers and employees on at-work road risk control, emphasising the moral, legal and business case.

Why? This should provide the necessary tools for organisations and individuals to improve their at-work road strategies and behaviours.

Action: Increase public awareness of at-work road traffic incidents and their human and financial toll.

Why? This will help secure wider recognition of the problem, and reinforce the prevention message. It may also help increase societal and shareholder pressure for change.

Action: Create pressure from insurers, supply-chain managers and shareholders for employers to improve their at-work road risk management.

Why? Such pressure should act as a catalyst for improvement.

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Question 2.

Do you think that health and safety management systems, if applied to at-work road risk, could reduce at-work road traffic incidents?

Yes. A systematic approach has achieved demonstrable success in reducing accidents from other work-related hazards, including on-site transport.

In some cases safety management systems may be properly in place, however, they may not be linked to at-work road risk. For example, vehicle serviceability is an area that may be considered in isolation and not integrated as part of the overall system for managing risk.

Driver training and driver hours are often seen as a road safety measure, and a different department or contractor may carry out the servicing of vehicles. These areas may be also separated from the transport operations manager who's main concern is with getting a product from A to B. In many cases it would be a task for the safety advisor to tie these loose ends together and package them as a single safety management system.

If so, what practical suggestions can you offer on what should comprise such systems and why?

Action: Employers should have an at-work road-risk management system, preferably integrated into their occupational safety and health management system. It should include avoiding or rationalising journeys; improved driver training; setting realistic journey times; improved vehicle selection; and improved incident reporting and investigation so that lessons will be learned.

Why? The principles of avoiding/minimising risk and controlling residual risk apply equally to at-work road-risk as to other work-related risk.

Action: Supply-chain management – purchasers should ensure that their suppliers have an 'at-work road risk' management system.

Why? This will raise awareness and provide an incentive to suppliers to demonstrably improve their at-work road-risk management, in order to win orders.

Action: Employers should be encouraged to review their control of significant at-work road risk and to include this in the company annual report (as outlined in the Turnbull Report).

Why? Good internal control of significant risk may help improve share value and vice-versa.

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Question 3.

Do you think there should be specific training and/or testing for occupational drivers/riders?

Yes, for those who are at significant risk

Why? What form should this take and to whom should it apply?

There is a legal requirement for competence at work and driving is an acquired skill. Training drivers/riders will help satisfy the legal requirements and equip them to drive more safely, thereby helping reduce the overall risk.

Employees at risk from work-related road hazards form a continuum, relating both to their exposure (as a % of their working time) and the type of tasks they perform. For example from highly specialised employment such as hazardous chemicals transport and motorway maintenance, to employees exposed to hazards which are identical to those of non-workers e.g. local car driving, pedestrians.

At the lower end of this continuum, it would be foolish to require training any different to that given to all members of society, so any additional work-related competence assessment process is likely to be minimal. In contrast, at the higher end, there will be a need for special skill-based training and competence assessment to supplement that already required by road legislation (e.g. HGV and PSV drivers).

Clearly, a contentious area is likely to be that of driving cars and other light vehicles. In these cases an hours-based/mileage-based limit could be set. For example more than 20 percent of working hours or more than the annual mileage at which 'normal' income tax liability for car benefit is set (currently 18000 miles per year). At this level of risk, it would be reasonable to expect employers to consider compulsory 'defensive driving' or 'advanced motorists' training/assessments.

The type of additional training/competence assessment should be similar to that outlined in the case studies in paragraph 23. It would also be sensible to require reassessment to existing DETR competence standards if there is evidence of driver deterioration, e.g. police actions against a driver or a history of accidents where the driver is clearly at fault.

Question 4.

Guidance or Code?

HSC have no fixed view about the preferred status of the core document: an HSE ACoP, guidance under the Highway Code Explained series or HSE generic guidance.

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Which of the approaches do you think is the right one and why? Would different approaches work in different sectors?

We feel the best approach would be guidance under the 'Highway Code Explained' series. This is likely to result in better long-term 'joined up working', by both government bodies and employers, than an HSC/E ACoP.

If the document was jointly published by DETR and HSC/E it would help to ensure that both very small employers and the self-employed make the link between their driving activities and health & safety legislation.

This approach would also give the guidance a degree of authority and credibility (the Highway Code is a well-known and long established reference document for drivers) and would probably influence individual drivers more than HSE guidance or an ACoP.

HSC/E could supplement the main publication with explanatory leaflets that refer to their own key guidance documents and include cross-references in other internal HSE publications.

Question 5.

Looking at Annex 3, does it address all the issues you would like to see covered?

Although we feel all of the suggested contents are good, we feel that Annex 3 does not address all the issues we would like to see included.

If not, what would you like to see covered?

We would like to highlight the following omissions:

- Reference should be made to vehicle road-worthiness and maintainability, as required under the Provision and Use of Work Equipment Regulations 1998. This would provide another link to the health and safety side of the management of at-work road risk.
- The section on 'Preventing incidents', should include a bullet point on planning and organising road journeys, including anticipation and control strategies for dealing with extremes of weather. An additional bullet point could emphasise the importance of learning lessons from incident investigations.

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- The 'Responsibilities of employees' section should also include not smoking, eating, drinking, grooming, reading, etc. whilst driving. Also, drivers/riders should make sure they are familiar with their vehicles and know their route before setting off.
- The section on 'Vehicle selection and maintenance' should include hired vehicles.
- The section on 'Safe behaviour' should include driving in other countries.
- The section on 'Learning from experience' should mention the inclusion of data in company annual reports.

Question 6.

What suggestions do you have about how best to get employers, particularly those running very small businesses, and the self-employed to adopt good practice guidelines?

We feel the best way to encourage very small businesses and the self-employed to adopt good practice guidelines is by emphasising cost-benefits, raising awareness and giving support as follows:

- Insurers could set employers' insurance premiums based on the adequacy of their 'at-work road risk management system'. This will act as a financial incentive to employers to demonstrate their control of at-work road risk, as small businesses are unlikely to have sufficiently large fleets of vehicles to self-insure.
- Government could issue 'best practice' guidance using case studies that demonstrate the cost-benefits of effective management of at-work road risk (similar to those on page 5 of DDE16). This will help emphasise the business case, particularly to small businesses.
- Government could provide subsidised driver/rider training for small and micro-businesses, thereby encouraging the take-up of training.
- Publicity campaigns, similar to the 'drink-driving' ones, with the theme 'Are you trained to drive that'? This will raise awareness and increase customer demand for qualified drivers.

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Question 7.

What arrangements for enforcement do you consider the best and why?

We agree with the proposed partnerships and alliances identified in paragraphs 33 to 38, and feel it is important that there is better co-ordination between the agencies involved.

The HSE should act in the same way as they would towards any other reportable accident/incident/inspection/investigation, as they are best equipped to investigate work-related incidents, establish root causes and identify failures in an occupational safety and health management system. This will ensure consistency of approach with the other at-work RTIs that are already investigated and enforced by the HSE. Action by the HSE would also underline the health and safety implications of at-work road incidents.

Question 8.

Do you think that employers should be required to report at-work road traffic incidents? If so what should be reported and to whom?

We strongly believe that all fatalities, major injuries and diseases to employees (and where relevant to the public) should be reported wherever they occur. At present there is an anomaly, as they are reported if they occur at 'premises', whether these are controlled by an employer or someone else, but not in public areas.

Roads currently represent an anomaly in the RIDDOR reporting requirements, but not the only one. Work and working arrangements are becoming increasingly flexible, so we judge that, instead of concentrating just on the roads issue, RIDDOR should be amended to cover all work-related accidents, even when the causes are ostensibly outside the employer's control, such as on the public road. Thus fatalities and injuries on other forms of transport, and of home-workers at home should also be covered, though clearly road-related accidents/incidents will be the most numerous.

The underlying reason for this suggestion is that:

If some types of 'at work' accidents are reportable to the UK enforcing authorities and some are not, this helps to reinforce an impression that some types of hazard do not need to be managed, whatever their consequences. In reality, employers should be challenged to find ways to manage all relevant hazards, not just those under their immediate control. The first stage in such management is to measure losses consistently, whether these are to people, equipment or to product. We believe this thinking is consistent with the 'Learning from

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Experience' section at the end of Annex 3, it also underpins our suggestion that relevant data should be included in Annual Reports.

Question 9.

Is there any further action you would like to see taken (e.g. detailed guidance, campaigns, enforcement, research etc.) and by whom?

- We feel there is an urgent need for more accurate data, and this would be available if the police were to identify and record on the STATS 19 system when those involved in serious RTIs are 'at work'. When this is the case, they should notify the HSE.
- The Government could launch campaigns similar to the 'drink-driving' ones on 'Road fatigue – how to combat it'. Possible slogans that might be used in such campaigns could include 'Dead Tired?' or 'Driving on Empty'?
- There should be collaboration between the HSE, the police and insurers to establish causation of at-work RTIs, so that prevention strategies can be developed.
- Employers could reward good driving behaviours e.g. no incidents or traffic offences.
- Company cars should not be 'performance' cars as this may encourage speeding, and the vehicle's ability to withstand a collision and other safety features should also be key factors in the vehicle selection criteria.
- There should be a minimum of on-board distractions, such as computers, faxes, mobile phones, etc.
- DVLC could introduce occupational drivers' licences, restricted to those over 25 years of age, as this group is less likely to be involved in road accident insurance claims. The criteria for licences should be based on competence, fitness to drive and no road offences, and be renewable every 3-years.
- Tachographs could be considered for light vehicles, to control excessive or continuous driving time. Also, consideration could be given to introducing 'O' licence for small goods vehicles.
- More women could be encouraged into occupational driving roles, as insurance figures show that they are involved in fewer road accident insurance claims than men.

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- Coroners should inform HSE if a road death is work-related.

Question 10.

In your view, how well does this Discussion Document represent the different policy issues involved in this matter?

DDE16 represents the issues very well.