

Fact Sheet

Current legislation

The following Acts of Parliament affect employers of anyone who drives at work, whether in a company vehicle or their own vehicle.

Health and Safety at Work Act

This act requires the employer to ensure, as far as reasonably practicable, the health & safety of employees (full or part time) while at work. This includes work-related journeys and covers all drivers whether they are in company vehicles or using their own vehicles for business use. It applies to temporary drivers and freelance, agency or contract workers as well as full-time and part-time employees.

Management of Health & Safety at Work Regulations 1992 (updated 1999)

These regulations hammer home the requirement for companies to carry out assessments of risk to the health & safety of employees while they are at work and to the people who may be affected by their work activities. The regulations affect all driving on company business.

Provision and Use of Work Equipment Regulations 1998 (PUWER)

PUWER requires that work equipment - including company vehicles and employees own vehicles - is suitable for its intended use and is safe, regularly inspected and properly maintained. It also requires employers to ensure that those using the equipment are properly trained.

Reporting of Injuries, Disease and Dangerous Occurrences (RIDDOR)

RIDDOR sets out the way workplace injuries are reported. The processes used under RIDDOR should be adopted by companies as best practice whenever their drivers have been injured in motoring accidents. RIDDOR is not a requirement for road injuries at this time, but will become one in the next few years.

Working Time Regulations

The Working Time Regulations govern the number of hours employees are expected to work. Essentially they stipulate that employees should not have to work more than an average of 48 hours a week over a 17-week rolling period. This includes driving on company business.

Road Traffic Act 1988

This Act contains all the main motoring offences. In some circumstances, an employer could be found guilty of aiding and abetting an employee who committed an offence under the Act.

Road Death Investigation Manual

This manual is used by the Police for all motoring incidents. An employer can see the type of questions that the Police will now ask them by going to www.acpo.gov.uk.

HSE Guidelines - Driving at Work

The document is now the cornerstone of all activity in this area and has to be applied by all companies.