



Motor Vehicle Policy

1.0 Purpose

The purpose of this procedure is to help ensure VisitScotland meets its obligations to protect staff and others by Managing Occupational Road Risk (MORR). The procedure is based on Scottish Government and RoSPA guidelines for managing road risk aligned with The Corporate Homicide Act 2007 and other health and safety legislation.

Employees who drive for work have a higher accident rate than the general driving population. Health and safety law applies to driving activities as well as to all work activities, so any associated risks must be effectively controlled and managed. This procedure applies whether the vehicles involved are under the control of VisitScotland, the employee or hired from another party and details what must be done to minimise the risk of injury, loss of life and damage to property from occupational road risk.

VisitScotland is committed to the continuous improvement of the management of work-related driving by taking a pro-active, supportive approach. This should result in transferable skills and experience which can also be utilised by employees when driving outwith work.

2.0 Duty of Care

Corporate Homicide Act 2007 and Health & Safety Legislation

The Corporate Homicide Act 2007 makes corporate bodies liable for failures in the duty of care of employees. Based on legal opinion it is generally understood that where employees are provided with use of a lease vehicle or use their own vehicle or a hired vehicle for business, then the employer has a duty of care to ensure that the vehicle is roadworthy, appropriately insured and that the driver is fit to drive. It is the corporate body and not the individual company officers that would be prosecuted for any breaches. However, prosecutions under existing Health and Safety legislation continue to apply to employees where there **has** been a failure when driving, to safeguard the health and safety of themselves or others as covered under VisitScotland Health & Safety policy.

3.0 DEFINITIONS

Assigned vehicles - vehicles leased either for the sole use of an employee or used as a pool vehicle.

Authorised driver - employees who have a driving licence valid in the UK, are insured for business journeys and have line management **approval**, issued on an annual basis, to drive on VisitScotland business.

Hired vehicles - vehicles hired under contract by VisitScotland from a vehicle hire company.

Private vehicles - vehicles that an employee runs privately.

Work related driving - driving a vehicle on VisitScotland business.

4.0 DETAILED RESPONSIBILITIES

Both Management and staff should use common sense in planning their journeys and show reasonable due care in requesting, planning and undertaking any business vehicle travel.

4.1 Head of Department or Nominated Deputies

Heads of Department or Nominated Deputies, i.e. the line manager who is responsible for the authorisation of business expenses, are responsible for:

- Ensuring that only Authorised Drivers are permitted to drive on VisitScotland business.
- Ensuring that as part of routine journey planning risks associated with work-related driving activities are assessed
- Supporting a no-blame culture by encouraging all staff to report any accident, incident or near miss.
- Ensuring that staff undertake any relevant identified training.
- Ensuring potential Authorised Drivers complete the Self Declaration Form.
- Checking completed Self Declaration Forms and querying omissions.
- Signing completed Self Declaration Forms when satisfied with content.

4.2 Employees

All employees who undertake work-related driving are responsible for:

- Adhering to this procedure and in particular, only undertaking work-related driving when authorised to do so.
- Ensure that to claim Travel and Subsistence expenses related to driving a private vehicle on VisitScotland business (eg Motor Mileage expenses) the employee must hold insurance which covers the use of the private vehicle on official business
- Ensuring the vehicle is roadworthy by regular checks of radiator, battery, engine oil and windscreen wash levels, windscreen wipers and tyres
- Alerting their Heads of Department or nominated deputies if any circumstances change which affect their status as an Authorised Driver; e.g. loss of insurance cover or failure of MOT for Private Vehicle use.
- Alerting line managers of personal factors that may impair your driving abilities prior to undertaking work-related driving.
- Notify the HR Department of any Road Traffic offence committed, or for which judgement is pending for which the penalty may be imprisonment or disqualification from driving.
- Reporting any other concerns you have about work-related driving.
- Undertaking any appropriate identified training.
- Reporting all vehicle-related accidents/incidents and near misses whilst driving on VisitScotland business.
- Completing an annual Self-Declaration Form in confirmation of meeting Authorised Driver criteria.

4.3 The Health & Safety Manager and Facilities Executive, Health & Safety

The Health & Safety Manager and Facilities Executive, Health & Safety, are responsible for:

- Promoting this MORR procedure by increasing staff awareness and access to training, so as to support and improve overall standards of safe driving
- Advising Heads of Department or Nominated Deputies and other employees on the implementation of the procedure.
- Reporting to the Health & Safety Committee any vehicle related accidents/incidents and near misses involving Leased, Pool, Hired or Private Vehicles.
- .
- Developing Generic MORR Risk Assessment and assisting in the development of Detailed Risk Assessments when required.
- Implementing an audit schedule to measure the VisitScotland compliance with the requirements of the MORR procedure.

5.0 PROCEDURE

5.1 Driver Authorisation Process

Step 1;- Heads of Department or nominated deputies are required to identify potential drivers of pool, hire or private vehicles on VisitScotland business.

Step 2;- Identified drivers should complete the Self Declaration Form which requests important information regarding driving licence and insurance documents. Guidance on how to complete is contained within the form.

Step 3;- Heads of Department or nominated deputies should check that the relevant sections of the form are completed, and if satisfactory, sign off, and forward the form to Human Resources. The member of staff is now an Authorised Driver.

The Driver Authorisation process should be completed by **31st July 2012** for the period up to 31st March 2014 and thereafter is valid for one fiscal year beginning April 1st of each subsequent year.

5.2 Expense Submission

The expense form for the organisation will be altered to reflect the requirements of this policy. In future when an individual signs for the private car business miles expense claim and the expense form is approved by their Line Manager they will also be stating that the person remains;

- An Authorised Driver, and
- That their data remains as that submitted in the most recent **AUTHORISED DRIVER REQUEST FORM - SELF-DECLARATION**
-

Any employee who does not sign the expense form will be deemed not to be an Authorised Driver and will not have any business miles travel expenses paid to them.

5.3 Risk Assessment

All forms of business travel including driving carry an element of risk to the employee and the organisation. Employees must ensure that any business travel that is being undertaken is necessary and that any risk being incurred is proportionate to the operational needs of VS.

As a general rule where no official police warning has been issued and is unlikely to be issued in relation to driving in the area where the journey in question is to be made it

can be assumed that driving on the public highways by an authorised driver does not pose any excessive risk to the employee or the organisation and business travel can be undertaken.

Where police warnings have been issued e.g. that essential travel only should be undertaken, then employees should seek guidance from their line manager that any proposed business travel is deemed necessary and proportionate to the perceived risks. Where line manager/HOD is not available the Employee should use their own judgement in line with the normal behaviours required of a qualified driver.

The below are referenced by RoSPA to promote Road Safety supported by the Department of Transport

- Is your journey necessary
- Speeding - allow plenty of time for journey
- Road Conditions - sun, rain, snow be prepared
- Fatigue - do not drive for long periods
- Use of mobile phones - VisitScotland Policy does not allow
- Other distractions - smoking, eating, changing CD
- Drinking and driving - alcohol slows reactions
- Drugs and driving - even prescriptive drugs can have an effect, check them out

6.0 Review of Procedure

This procedure will be kept under regular review at least bi-annually and more frequently in accordance with any change in business requirements.

7.0 Document Control

This is a controlled document amendments to be made only by the Facilities Executive, Health & Safety.

If you have any comments or amendments to make please send to;
yvonne.farquharson@visitscotland.com

Version	Issued to	Issue Date
1.0 Draft	H&S Committee representatives	23rd September 2011
2.0 Approved	Organisation	June 2012

AUTHORISED DRIVER REQUEST FORM - SELF-DECLARATION Year to 31 March 2014

Employees must complete this form before driving leased, pool, hire or private vehicles on VisitScotland business

SECTION 1 - All potential drivers to complete.

Do you have a full driving licence which is valid in the UK for the category of vehicle(s) driven?	Yes	No
Driver Licence Number:		
Do you have any road traffic offences pending, the penalty for which may result in the loss of your licence?	Yes	No

SECTION 2 - Own Vehicle Use - Only complete if you drive (or intend to drive) your own vehicle on VisitScotland business.

Are all private vehicles driven or intended to be driven insured for appropriate business use?	Yes	No	
Name of insurer:			
Policy number:			
Do all private vehicles driven or intended to be driven: <ul style="list-style-type: none">• have appropriate and valid road tax?• have a valid MOT (if more than 3 years old)?	Yes	No	n/a
	Yes	No	n/a
Has any event occurred since the time of the last MOT that could result in any of the private vehicles intended for business driving not being roadworthy.	Yes	No	

**** Note; to claim Travel and Subsistence expenses related to driving a private vehicle on VisitScotland business (eg Motor Mileage expenses) you must hold insurance which covers the use of your private vehicle on official business**

Section 3 - Declaration

I confirm that the information I have provided on this form is true and correct.

By signing this declaration, I confirm that:

- I will, on request, produce any documents relating to my driving licence, personal motor insurance, MOT and road tax as may reasonably be requested to my Head of Department or Nominated Deputies

Signed:	Job title & Department
Print name:	Date:

PLEASE NOW PASS THIS FORM TO YOUR HOD or Nominated Deputies

For completion by HOD or Nominated Deputies

Based on the information contained in this form, I authorise the above named member of staff to drive on VisitScotland business:

Signed:	Job title & Department
Print name:	Date:

Please scan signed declaration to human.resources@visitscotland.com