



AGENDA ITEM

6

Joint Consultative Committee – 24 April 2018

- **Driving at Work Policy**
- **Gas Safety Management Policy**
- **Time Off for Trade Union Duties and Activities Policy**

Falkirk Council

Subject: Referral from the Joint Consultative Committee
Meeting: Executive
Date: 15 May 2018
Author: Director of Corporate and Housing Services

1. Purpose of Report

- 1.1 The purpose of this report is to present three policies which were referred to the Executive by the Joint Consultative Committee for approval.

2. Recommendations

2.1 The Executive is asked to agree the changes to the:-

- (1) Driving at Work Policy;**
- (2) Gas Safety Management Policy; and**
- (3) Time Off for Trade Union Duties and Activities Policy.**

3. Background

3.1 Driving at Work Policy

This policy provides a corporate framework for the management of activities involving workplace transport and travel. The policy ensures compliance with relevant legislation ensuring safe working practices and efficiency whilst supporting employees who are required to drive and/or travel between locations as part of their day to day duties.

3.2 Gas Safety Management Policy

This policy was developed to ensure that Falkirk Council management systems, processes and procedures in relation to the management of gas safety take account of relevant Health and Safety Legislation. The policy has been reviewed to ensure it meets current regulatory requirements. Additionally, roles and responsibilities have been updated to reflect position title changes.

3.3. Time Off for Trade Union Duties and Activities Policy

This policy implements the Collective Agreement in place between Falkirk Council and the recognised trade unions of Falkirk Council. The intention of the agreement is to ensure that appropriate levels of special leave are provided to representatives of the unions in order for them to carry out trade union duties & activities. The Policy

applies to all employees of Falkirk Council and its main aim is to promote fairness, equity and order in the treatment of individuals and in the conduct of employee relations.

4. Considerations

- 4.1 The proposed changes to the Driving at Work, Gas Safety Management and Time Off for Trade Union Duties and Activities Policies, are as outlined above and as presented to the Joint Consultative Committee on 24 April 2018. The Committee agreed to refer them to the Executive for approval.

5. Consultation

- 5.1 This has followed the Council's Policy Consultation process with Services and relevant Trade Unions.

6. Implications

Financial

- 6.1 There are no financial implications.

Resources

- 6.2 There are no additional resources required.

Legal

- 6.3 There are no legal implications arising from the report recommendations.

Risk

- 6.4 There is no change in the level of risk from the modified Policy.

Equalities

- 6.5 No additional equality and poverty impact assessment is required.

Sustainability/Environmental Impact

- 6.6 Not applicable.

7. Conclusions

- 7.1 Full consultation has been undertaken with Services and Trade Unions and no adverse issues have been identified.
- 7.2 The changes to the Driving at Work Policy enables the Council to meet their statutory obligations and also reflect the recommendations from the Glasgow Bin Lorry fatal accident inquiry.

- 7.3 The changes to the Gas Safety Management Policy ensure the Council continues to meet its statutory obligations and updates the procedure to reflect the new Council structure.
- 7.4 The introduction of the Time Off for Trade Union Duties and Activities Policy reflect new legislative requirements for Falkirk Council to publish information regarding facility time taken by Trade Union representatives and the revised method for allocating such facility time to recognised Trade Unions.

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Director of Corporate and Housing Services

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Date : 1 May 2018

Appendices

1. Driving at Work Policy
2. Gas Safety Management Policy
3. Time Off for Trade Union Duties and Activities

List of Background Papers:

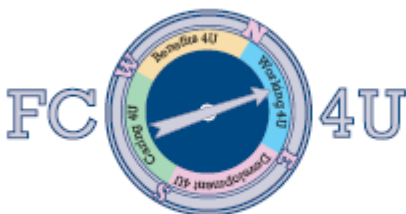
The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

- None



FALKIRK COUNCIL

Driving At Work Policy



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1. POLICY STATEMENT

Falkirk Council is committed to maintaining a safe and healthy working environment for employees, service users and other members of the public. Falkirk Council recognises that there are risks to employees and others associated with workplace transport. The HSE define workplace transport as “*any vehicle used in the course of an employee’s work*” and includes driving Council owned and employee owned vehicles whilst on Council business. The Council is committed to ensuring best practice to minimise the risks associated with workplace transport.

This policy and procedure provides a corporate framework for the management of activities involving workplace transport and travel. The policy ensures compliance with relevant legislation ensuring safe working practices and efficiency whilst supporting employees who are required to drive and/or travel between locations as part of their day to day duties.

2. SCOPE

This policy and procedure applies to all work activities involving the use of workplace transport and to all employees who drive at work on Council business.

Journeys to and from an employee’s home are excluded unless the employee has permission to take a Council vehicle home. It also applies to persons who drive vehicles for the purpose of supporting Council activities e.g. youth leaders, teachers and voluntary drivers assisting community groups and social care activities.

For the purposes of this policy and procedure, “**Drivers**” are defined as:

- Employees who are employed specifically to drive on Council business” and/or
- Employees who drive on Council business using Council pool vehicles or their own vehicles on Council business and/or
- Individuals from voluntary or approved organisations permitted to use Falkirk Council vehicles as nominated drivers.

3. MANAGEMENT SYSTEMS & PROCEDURES

3.1 Use of Vehicles on Council Business

It is recognised that Falkirk Council requires designated drivers to drive Council vehicles and also requires employees to travel between locations to undertake their duties or attend business meetings.

Employees who require travel between locations to better perform their duties, should actively consider alternative and more efficient ways of carrying out Council business. The Travel Hierarchy (Appendix 1) provides options for this, for example:

- use a telephone or conference calling facilities
- use video conferencing
- walk or cycle to the meeting
- meet at a central location to minimise travel
- use of public transport
- car sharing

- use of a pool car – electric or petrol

Where a face to face meeting is required, then a pool car must be used in the first instance, unless it is impractical or inefficient to do so. Pool cars must only be used for Council business and must not be taken home without prior agreement of the service manager.

If a situation arises when a pool vehicle is not available, employees will be able to drive their own car (if they are willing) and be reimbursed at the current HMRC rate, which will be subject to the line manager's approval.

All relevant employee checks as noted below must be completed before any pool car can be requested or driven, or before an employee can use their own car for council business. Employees driving council vehicles including car pool vehicles must also sign the Drivers Code of Conduct.

In emergency situations a taxi can be requested using the Council's taxi supplier and must be approved by the service manager in advance.

Each Service will be responsible for pool car bookings, accessed via an Outlook calendar. Bookings will be co-ordinated by the Business Support Team. The pool vehicle booking operators may on occasion, be able to over-ride existing non-essential bookings to accommodate an emergency urgent or more cost effective booking.

The use of pool vehicles will be monitored via the vehicle tracker system and booking systems and the usage will be reported monthly to Services to ensure that their use is maximized for Council business. Any misuse will be reported to service users management team and if appropriate, disciplinary action taken against those who misuse the vehicles.

3.2 Recruitment

Where a post involves driving Council vehicles, before offering employment, managers must ensure that satisfactory pre employment checks have been completed. This includes obtaining references on suitability to drive along with necessary medical checks and checking driving license documentation.

Medical checks

In addition to the normal pre-employment medical questionnaire, an additional questionnaire will be issued by OH to all Group 2 licence holders (see section 3.3 below), which will require validation by the applicant's GP. The applicant cannot be formally offered the post or commence work until the GP/Occupational Health have provided full clearance.

Driving Licence Documentation

Managers must ensure that driving licences are checked for the type of vehicles to be driven on Council business. This should be clearly recorded on the recruitment checklist. In addition, the Authorisation to Drive process (as per section 3.3 below) should be completed on appointment and annually thereafter.

3.3 Authorisation to Drive

All employees who drive on Council business must, on appointment and on an **annual basis** thereafter, be authorised to drive by their manager. This includes those designated as drivers, drivers of fleet vehicles, drivers of car pool cars, volunteer drivers, those who drive a non-council vehicle e.g. their own vehicle and any other drivers who drive on Council business at any time. The manager must check that:

- The employee does not have a medical condition that impacts on their ability to drive at work;
 - The employee confirms that their eyesight meets the requirements set out in the Highway Code (rule 92);
 - The employee has a current driving licence appropriate to the type of vehicle to be driven. There are 2 classifications of driver licence as indicated below:
 - Group 1* – includes cars and motorcycles
 - Group 2 – includes large lorries (category C) and buses (category D).
Age Limit: Group 2 licences to drive lorries (Category C) or buses (category D) are normally issued to people over 21 and are valid until the age of 45. From the age of 45 they are renewable every 5 years until the age 65, and then they are renewable annually without an upper age limit. Shorter licences may be issued for medical reasons.
- * Note: Drivers who were awarded a Group 1 category B (motor car) licences before 1st January 1997 have additional entitlement to categories C1 (medium-sized lorries, 3.5T to 7.5T) and D1 (minibuses, 9 to 16 seats, not for hire or reward). Drivers with this entitlement retain it only until their licence expires or it is revoked for medical reasons.

- The employee has no driving convictions which would prevent him/her from driving at work;
- Where the employee is using their own vehicle, they have appropriate vehicle insurance for business use and a current MOT Certificate is held for the vehicle to be driven.

The manager must ensure that every employee or volunteer who drives on Council business/vehicles seeks authorisation by completing an “Authorisation to Drive at Work” form (Appendix 2) on an annual basis. On receipt, the manager should check and authorise the completed form and the original form should be filed in docstore.

3.4 Medical Conditions & Fitness to Drive

Anyone with a medical condition likely to cause a sudden disabling event at the wheel, or who is unable to control their vehicle safety, for any other reason, **MUST NOT DRIVE**.

Drivers (all license types) have a duty to:

- Notify the DVLA of any injury or illness that would have a likely impact on safe driving ability;
- Respond fully and accurately to any requests for information from either the DVLA or healthcare professionals;
- Comply with the requirements of the issued licence, including any periodic medical reviews indicated by the DVLA;
- Adhere, with ongoing consideration of fitness to drive, to prescribed medical treatment, and to monitor and manage the condition and any adaptations.

The DVLA publishes a full list of all symptoms that must be reported;; <https://www.gov.uk/health-conditions-and-driving>. These symptoms fall into the following main categories, but are not limited to the list noted below. **All Drivers must be familiar with all reportable conditions and symptoms** and take advice from their GP on referral to DVLA as necessary:

- Neurological
- Cardiovascular disorders

- Diabetes mellitus
- Psychiatric disorders
- Drug or alcohol misuse and dependence
- Visual disorders
- Renal and respiratory
- Miscellaneous conditions

3.4.1 Driver takes unwell

Where a driver suffers from a temporary short term blackout or a period of nausea/dizziness or other medical condition that affects the employee's ability to drive, this must be reported to their line manager immediately. The manager must refer the employee to Occupational Health providing all available information. As part of this process, OH will request information from the employee's GP who will advise as to whether the employee is fit to drive.

Where a vehicle accident occurs or there is damage to a Council vehicle, the driver will be invited to a meeting as soon as possible with the manager to ascertain the circumstances of the incident/accident. Where the incident involves an instance of blackout, dizziness or the side effects of medication or there is concern that the incident has been impacted by an underlying medical condition, then the manager must refer the employee to Occupational Health providing all available information.

The Manager will temporarily remove the employee from driving Council vehicles to allow time for the matter to be further assessed. If there is a medical condition that affects the employee's ability to carry out driving duties, redeployment in line with the Capability Policy and Redeployment Policy may be considered. The manager should seek advice from HR and arrange to meet with the employee to discuss the issues and options available.

Any removal from duties must be confirmed in writing. Further advice can be provided from HR on this matter. The driver cannot return to driving duties, until their GP, via OH, has confirmed fitness to drive.

3.4.2 Sickness Absence

Where an employee is absent from work, their manager must undertake a return to work interview completing appropriate paperwork. The return to work interview provides an opportunity to explore if the reason for absence could impact or affect their ability to drive.

Where a medical condition is identified which may impact on the individual's ability to drive, the Manager should temporarily remove the employee from driving Council vehicles to allow time for the matter to be further assessed. A referral to Occupational Health may also be required to ascertain fitness to drive. If there is a medical condition that affects the employee's ability to carry out driving duties in the longer term, redeployment in line with the Capability Policy and Redeployment Policy may be considered. The manager should seek advice from HR and arrange to meet with the employee to discuss the issues and options available. Any removal from duties must be confirmed in writing. Further advice can be provided from HR on this matter. The Driver cannot return to driving duties, until their GP has confirmed fitness to drive.

3.4.3 Driver is diagnosed with a Medical Condition/Medications

All drivers have a legal duty to inform DVLA if they are suffering from a medical condition that makes it unsafe for them to drive. In all circumstances, the employee must report any relevant condition to the DVLA and where appropriate surrender their licence (<https://www.gov.uk/health-conditions-and-driving>). Employees must ensure that managers are kept advised of any condition or medication that may impact on their ability to drive.

As indicated, medication may also have a detrimental impact on the employee's ability to drive. Employees must discuss the impact of medication with their GP and advise their manager of any medications that could affect their ability to drive. Where the GP has advised that the medication may impact on driving, the employee **MUST NOT DRIVE** (see advice above if an employee is required to be removed from driving duties).

3.4.4 Age Related Medicals: Group 2 Drivers

The law requires medical checks at different frequencies, subject to age, to ensure continued fitness to drive Group 2 vehicles (See section 3.2).

DVLA will inform the employee that they are required to undertake a medical examination (to be undertaken by the employee's GP). The driver is responsible for making an appointment with their GP and ensuring that the check is completed and sent to DVLA within the required timescales. The medical examination must be completed at least 4 months prior to the application date for the new licence.

The employee will inform their manager that their medical is required to be carried out.

The manager will provide a medical clearance form to the employee for completion (Appendix 3). Managers must ensure that the medical clearance is received within the required timescales for each driver and that systems are in place to ensure future medical requirements are monitored and checked within the required timescales. Any concerns over timescales must be raised with the employee.

The GP will complete the DVLA D4 form (although an Optician can complete the vision section). If the result of the Medical examination from the GP identifies any health issues that are reportable to the DVLA, then the employee must notify the DVLA immediately. The employee will ensure that the GP completes the medical clearance form (Appendix 3) and then return this to their manager for approval. This will be held on the employee's file for future reference.

Paid time off will be provided to attend the medical. Any charge from the GP for the medical will be repaid as expenses to employees on production of an appropriate receipt.

The manager should obtain a copy of the employee's new driving licence.

3.4.5 Restrictions/Withdrawal of Licence

Where an employee has been contacted by the DVLA and has had amendment to their licence, or withdrawal of their driving licence they **MUST** notify their manager immediately.

The relevant manager will temporarily remove the employee from driving to allow time for the matter to be further assessed. If there is a medical condition that affects the employee's ability to carry out driving duties, redeployment in line with the Capability Policy and Redeployment Policy may be considered. The manager should seek advice from HR and arrange to meet with the employee to discuss the issues and options available. Any removal from duties must be confirmed in writing. Further advice can be provided from HR on this matter. The driver cannot return to driving duties, until the GP has confirmed fitness to drive.

3.5 **Qualifications, Training & Competence Assessment**

Managers must ensure that all employees designated as 'drivers' receive the appropriate level of review of their competence. The competence assessment, training and qualifications required will be determined by the individual's driver's role, the vehicle which they drive and the frequency of the

requirement for them to drive at work. Appendix 4 contains a table which specifies the Driving Licence, qualifications, competence assessment and training required for each driver and vehicle. This includes Passenger Carrying Vehicles (PCV), Large Goods Vehicles (LGV), MIDAS for mini-bus drivers and any other specialist vehicles. Further guidance on the specific requirements for individual drivers/vehicles can be obtained from the Corporate Health, Safety & Care team.

In addition to this, LGV crew cab team members will be provided with basic training to be able to effect emergency control of their vehicle if required.

Relevant vehicle familiarisation sessions can be provided to employees driving pool car vehicles. This will be provided by Fleet Services.

3.6 Risk Assessment

Managers are responsible for making sure that appropriate risk assessments are undertaken for driving and reviewed regularly. These assessments should cover the following areas of work-related road safety:

- **Drivers**

Where an employee is designated as a “Driver”, line managers must also complete a Driver’s Risk Assessment. This must be carried out in line with the Council’s Risk Management by Risk Assessment Policy. An example “Driving Duties Risk Assessment” is contained at Appendix 4.

- **Use of Vehicles**

Where the activities of the task using a vehicle may result in increased risk to other road users as a result of the ongoing work, suitable procedures must be available which should include specific risk assessments covering;

- Employees e.g work on road verge, road side collections etc;
- Other road users e.g. lane closures;
- Pedestrians on the route e.g. refuse collection;
- Use of specialist vehicles e.g. roads, grounds maintenance;
- Use of hazardous equipment e.g. Augers.

In relation to refuse collection activities, it is also important that individual route risk assessments are undertaken and reviewed as per Appendix 5.

- **Premises**

A Workplace Transport Risk Assessment must be undertaken for all premises where there is vehicle access, including car parks and/or where the business involves transportation of people and/or loads. Appropriate road traffic signage and suitable parking and garaging for vehicles should be considered, where appropriate. Consideration should also be given to pedestrian walkways to ensure segregation of pedestrians from vehicles and the needs of disabled persons should be catered for. Where possible, a one-way traffic system should be introduced to reduce the requirement to have vehicles reverse.

The risk assessment must be carried out in line with the Council’s Risk Management by risk Assessment Policy. A more detailed risk assessment will be required for premises where the transport management

requirements are more complex and the risk is therefore higher. These premises include schools, work depots, construction sites, etc. Example risk assessments are contained in the appendices as follows:

- Premises vehicle movement Risk Assessment – Routine Premises Appendix 7(a)
- Workplace Transport Risk Assessment – Complex Premises Appendix 7(b)

3.7 Purchase/Lease/Hire of Vehicles

The specification of any new vehicle or vehicle for purchase, lease or hire should be agreed between the appropriate Service representative and the Fleet Manager in consultation with Trade Unions in line with the Fleet Management Plan. The specification must take full account of the safety of the employee(s) who is/are required to drive and/or use the vehicle and have due regard to the safety of other road users.

Fleet Services will be responsible for purchasing car pool vehicles and allocating these to Services.

3.8 Maintenance & Servicing Of Vehicles

All Council vehicles and ancillary equipment and other vehicles used on Council business require to be maintained in conformance with road safety legislation and manufacturers/suppliers guidance. Council vehicles are maintained by the Council's Fleet Services. To comply with legislation, Services must have management systems and procedures in place to manage the following key areas associated with workplace transport:

- **Council Vehicles**

In line with the Council's Driver First Use Vehicle Check Procedure, all drivers should complete a First Use Vehicle Check Form through an inspection of any Council vehicle prior to their own first use of the vehicle on any day/ shift.

If no defects are identified the driver can proceed to drive the vehicle and return the completed form to their line manager for retention.

If, however, any defects are identified, the driver should contact their line manager to agree what action is required. In the event that their line manager is not available e.g. out with working hours, the driver should contact Fleet Maintenance for advice.

The driver should record what action is agreed and with whom. The form should then be returned to their line manager for counter-signature to acknowledge the action taken and consider any remedial actions as appropriate. The driver should be provided with a copy of the completed form for their information.

All completed forms will be retained by line managers for a period of 15 months and line managers will routinely check fleet vehicles to ensure that First Use Vehicle Checks are being carried out to an appropriate standard. Managers have a responsibility to undertake a random 15% quality check each quarter to ensure that First Use Vehicle Checks are being correctly completed by drivers. A record of quality checks undertaken should be retained on file for a period of 15 months. Fleet Services will undertake random checks across Services to ensure that documents are being completed and retained in line with the Council's Operators' License.

Where a driver fails to complete a First Use Vehicle Check, this should be investigated under the Council's Disciplinary Policy and the driver removed from driving duties until a re-training session on First Use Vehicle Checks is undertaken. Once the training has been undertaken the employee can revert

to driving duties and the investigation progressed. Where an employee repeatedly fails to undertake these checks, the employee should be redeployed to non-driving duties until a disciplinary investigation is undertaken.

Each Service will be responsible for the day to day management of the Car Pool vehicles. This will include ensuring first use vehicle checks are completed and appropriately actioned where required. Additionally, Services will need to appoint a suitable number of representatives to liaise with Fleet Services regarding the maintenance and servicing of Car Pool vehicles as required.

All Council vehicles will be fitted with vehicle trackers. The tracker will be used to support service delivery and improve security. Any misuse will be reported to service management team and if appropriate, the matter may be investigated in line with the Councils Disciplinary policy.

- **Non-Council Vehicles**

In line with the requirements of the Road Traffic Act 1988, vehicles used by employees for the purpose of conducting council business that are non-council vehicles will also be classified as work equipment as defined by the Work Equipment Regulations 1998. Employees must ensure that these vehicles are roadworthy, have valid MOT certificates and the employee must be competent to drive their vehicle and have suitable insurance to cover business use. Employees will be expected to produce these documents to their manager on an annual basis, at the time of the “Authorisation to Drive” checks (see section 3.2).

Contractors working for the Council are also expected to ensure that they maintain their vehicles to the same standards as Falkirk Council. If any employee has concerns that this is not happening, the manager directing the contractors should discuss any concerns with the relevant contractor.

3.9 Safe Driving at Work

The Council is committed to ensuring best practice to minimise the risk associated with driving at work. To ensure safe practices are in place across the Council, employees are required to adhere to the Drivers Code of Conduct which should be issued to employee's as part of their initial Authorisation to Drive check and is available on the Council's Intranet.

3.10 Transport Management in Construction Design Management

In accordance with Construction Design Management (CDM) regulations, all health & safety risks associated with new build or major refurbishment contracts involving Council premises must be identified (Appendix 8). To comply with this:

- The manager requesting the work must, in conjunction with the Service Lead Officer for the project, consider the transport management requirements of the finished building;
- The Designers must take account of these transport management requirements in the design brief and identify any key transport risks involved in the construction phase of the project;
- The Development Services Designers must include these key risks in the Health & Safety file and ensure that the Principal Contractor undertakes a workplace transport risk assessment for the design phase of the project. The Designers should ensure that the Principal Contractor produces a Health & Safety plan that includes appropriate measures to address the identified risks;

- The Designers, the relevant Service Lead Officer and the relevant manager should, prior to handover of the building, complete a workplace transport risk assessment as at paragraph 3.5.3.

4. ROLES & RESPONSIBILITIES

THE CHIEF EXECUTIVE AND CHIEF OFFICERS

The Chief Executive and Chief Officers of the Council are responsible for the effective operation of the Policy across the Council as a whole and for ensuring development of effective management systems to implement the Policy within Services. They are also responsible for ensuring that adequate resources are available to implement appropriate procedures and provide appropriate assessment and training of key personnel.

THE FLEET MANAGER

The Fleet Manager is responsible for:

- Agreeing the specification of any new vehicle or vehicle for purchase, lease or hire with the appropriate Service representative;
- Ensuring that the specification for vehicles takes full account of the safety of the employee(s) who is/are required to drive and/or use the vehicle;
- Ensuring that all Council vehicles and ancillary equipment are maintained in conformance with road safety legislation and manufacturers/suppliers guidance;
- Ensuring that all vehicles including those hired on the Council's behalf plus any ancillary equipment are maintained in conformance with road safety legislation and manufacturers/suppliers guidance;
- Ensuring that, for each vehicle, a detailed maintenance schedule and a log which records all routine maintenance, any complaints with performance, breakdown data, accident data and tachograph recordings are maintained.

FIT FLEET GROUP

This group comprises representatives from each Service area and monitors the safe use of Council vehicles across the Council and best practice in terms of Workplace Transport.

LINE MANAGERS

Line Managers are responsible for:

- Ensuring that appropriate pre-employment checks are undertaken for drivers of Council vehicles
- Ensuring that employees or Volunteers who drive on council business complete an "Authorisation to Drive" form on an annual basis and Drivers using council vehicles, including voluntary organisations will have their vehicle licences reviewed on a DVLA approved Vehicle Licence check contractor
- Checking these forms, ensuring appropriate documentation, i.e. valid M.O.T. certificate and motor insurance covering business use is produced and providing authorisation to drive where appropriate

- Ensuring that, where vehicles are not maintained by Fleet Services, these vehicles are serviced and have a valid MOT certificate
- Encourage pool car usage and monitor usage within the service to ensure efficiency and monitoring worker mileage claims
- Ensuring that concerns regarding individual driver's fitness to drive are fully investigated and managed in line with this Policy
- Seeking further guidance/checks where authorisation cannot be given
- Undertaking driver risk assessments for employees designated as drivers
- Undertaking driver risk assessments with employees who accumulate 8 penalty points or more
- Ensure suitable training is provided where applicable
 - Reversing assistants;
 - Specialised vehicle training;
 - trailers;
 - Minibuses;
 - Load covers.

PREMISES MANAGERS

Premises Managers are responsible for ensuring that:

- A Workplace Transport Risk Assessment is undertaken for premises where there is vehicle access, including car parks and/or where the business involves transportation of people and/or loads;
- Appropriate road traffic signage and suitable parking and garaging for vehicles is considered, where appropriate;
- Consideration is given to pedestrian walkways to ensure segregation of pedestrians from vehicles and the needs of disabled persons should be catered for;
- Where possible, a one-way traffic system is introduced to reduce the requirement to have vehicles reverse.
- Costs associated with the implementation of Car Pool vehicles met. These costs would be minor in nature (such as remarking of parking bays). The Fleet Manager can be consulted where there are concerns surrounding the cost of implementation.

SERVICE LEAD OFFICER

Service Lead Officers are responsible for:

- Considering the transport management requirements of any new build or major refurbishment to a building, in conjunction with the manager requesting the work ;
- Completing a workplace transport risk assessment, in conjunction with the CDM Officer and the premises manager, prior to handover of the building.

DESIGN ARCHITECTS

Design architects are responsible for taking account of the transport management requirements of any new build or major refurbishment to a building in the design brief and identifying any key transport risks involved in the construction phase of the project.

- Including any key transport risks involved in the construction phase of any design project in the Health& Safety file;
- Ensuring that the Principal Contractor undertakes a workplace transport risk assessment for the design phase of any project and that the Principle Contractor produces a Health & Safety plan that includes appropriate measures to address the identified risks;
- Completing a workplace transport risk assessment, in conjunction with the Service Lead Officer and premises manager, prior to handover of the building.

EMPLOYEES

Employees are responsible for:

- Completing an “Authorisation to Drive at Work” form on an annual basis;
- Providing the required documentation;
- Notifying the DVLA of any injury or illness that would have a likely impact on safe driving ability;
- Responding fully and accurately to any requests for information from either the DVLA or healthcare professionals;
- Complying with the requirements of the issued licence, including any periodic medical reviews indicated by the DVLA;
- Adhering, with ongoing consideration of fitness to drive, to prescribed medical treatment, and to monitor and manage the condition and any adaptations
- Advising their line manager immediately of any changes to their health which may impact on their ability to drive or any change to penalties or endorsements on their driving licence;
- Complying with the relevant Drivers’ Code of Conduct;
- Participating in any driving related assessment, training or qualifications as required.

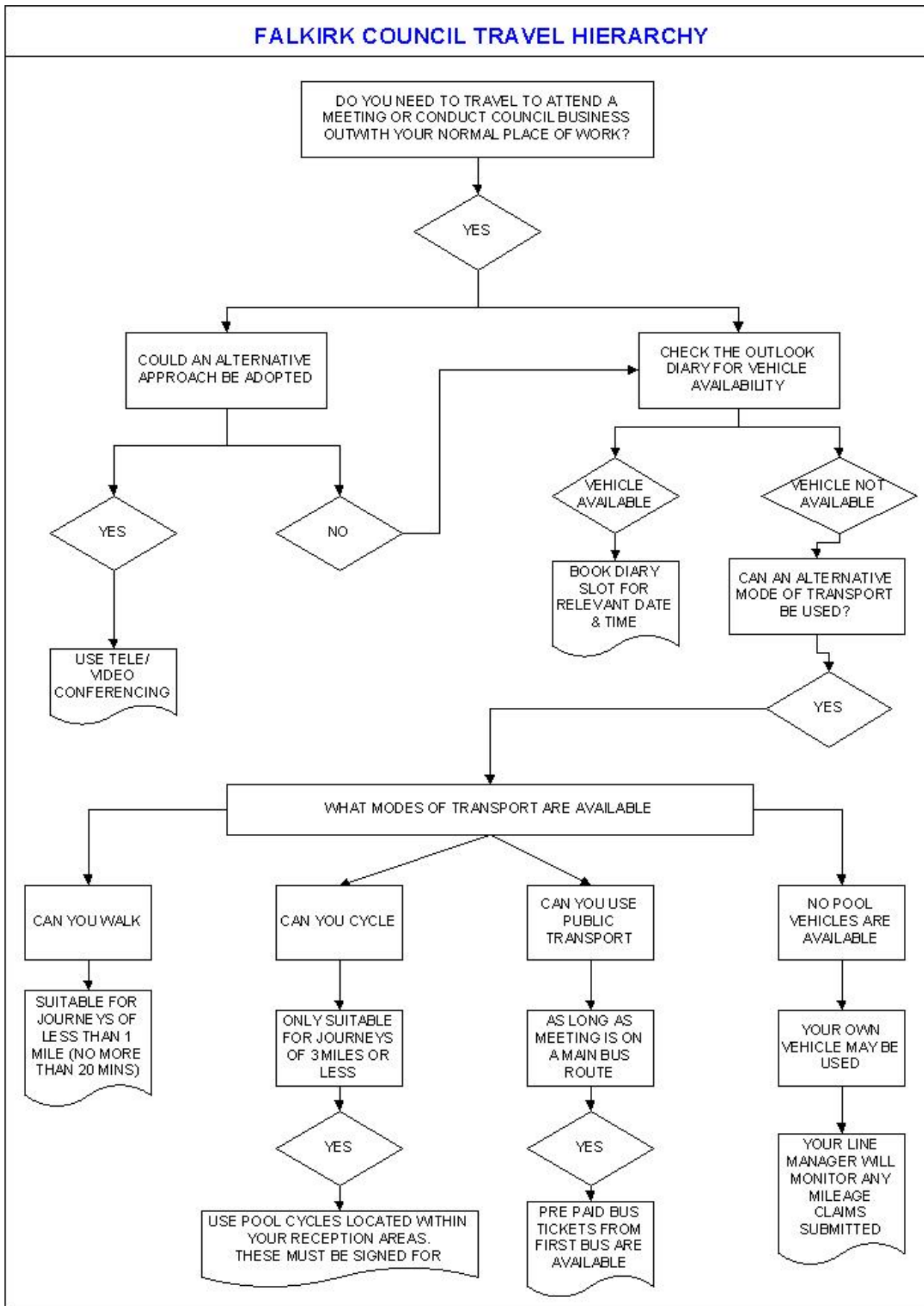
14. MONITORING AND REVIEW

The Head of Human Resources & Business Transformation will review this policy as per the agreed HR Policy review timetable in conjunction with Service Directors/ Chief Officers and Trade Unions taking into account relevant legislative amendments and best practice advice.

This Policy has been Equality Impact Assessed and no adverse impact has been identified.’

TRAVEL HIERARCHY PROCESS

FALKIRK COUNCIL TRAVEL HIERARCHY



**FALKIRK COUNCIL
AUTHORISATION TO DRIVE ANNUAL CHECK**

Employees who drive a Council vehicle and/ or their own vehicle on Council business, should complete this form. This includes any vehicle which is owned, leased or hired by the Council.

1. EMPLOYEE DETAILS	
Name:	Service:
	Work Location:
Address:	Employee No:
	Date of Birth:
Type of Vehicle to be driven on Council business: Own car <input type="checkbox"/> Council vehicle (including pool car) <input type="checkbox"/> Both <input type="checkbox"/> Other (please specify)	
2. HEALTH	
If you suffer from a condition which may impact upon your ability to drive, you must advise your manager and note this below:	
It is a requirement of the Road Traffic Act 1988 that all drivers have good vision and therefore it is your responsibility to ensure that you undergo periodic eye sight tests. Please confirm that your vision meets the standard required for driving. YES/NO	
Has your GP placed any restrictions on work or driving? YES/ NO If Yes describe:	
3.a DRIVER LICENCE DETAILS (all employees)	
Licence No:	Expiry Date:
Does your licence cover you to drive the type of vehicle stated at Section A item 1 above? YES/ NO DVLA Check Code <i>(To enable your manager to verify your licence details with the DVLA, you should provide a check code available from</i>	

the DVLA website www.gov.uk/view-driving-licence)	
3.b DRIVER LICENCE DETAILS (FOR DRIVERS OF COUNCIL VEHICLES ONLY)	
Do you hold a full PCV (Passenger carrying vehicle) licence? YES / NO (Only to be completed by those driving a vehicle having 9 or more seats) <i>If 'yes' you are required to present your licence for inspection by your line manager when submitting this form. Please also supply the following details:</i>	
Type: Hire/ Reward/ Restricted	Enter any restrictions relating to PCV shown on licence:
Category of vehicle description:	Expiry Date:
Do you hold a Full LGV (Large Goods Vehicle) Licence? YES/ NO (Only to be completed by those driving a LGV over 7.5 tonnes) <i>If 'yes' please supply the following details:</i>	
Category of vehicle description:	Expiry Date:
4. DETAILS OF ANY POTENTIAL DRIVING CONVICTIONS/ ENDORSEMENTS NOT YET RECORDED ON DRIVING LICENCE	
N.B Any employee, who drives a vehicle on Council business and who has accumulated 8 penalty points or more on their licence will require to undertake a "Driver Risk Assessment" with their line manager.	
5. MOT & INSURANCE DETAILS: (FOR DRIVERS OF NON COUNCIL VEHICLES ONLY)	
What is the registration no. of your vehicle?	
Does your vehicle require an MOT certificate?	YES/NO
If 'yes' please indicate the expiry date on the MOT certificate:	
<i>Nb: If the vehicle is under 3 years old an MOT certificate and expiry date will not be required.</i>	
Do you have current insurance for your vehicle that covers business use?	YES/NO
Is your vehicle roadworthy?	YES/NO
6. DECLARATION BY EMPLOYEE	

<ul style="list-style-type: none"> • The details given above are accurate and I understand that it is an offence under the Road Traffic Act knowingly to make a false statement to obtain insurance cover or to drive a vehicle without insurance cover; • I will notify my line manager immediately of any change in driving status (health/vision/convictions/insurance) which may have an impact on my ability to drive; • I understand that all information provided will be treated in confidence; • I understand that I may be subject to spot checks in respect of my licence, insurance and MOT documentation. • I have received and read a copy of the Driver's Code of Conduct 	
Signature: _____ Date: _____	
7. MANAGER APPROVAL	
I confirm that I have checked the appropriate documents as referred to above and am satisfied that this employee is fit to drive.	
Signature: _____	Designation: _____
Print Name: _____	Date: _____

THIS FORM SHOULD BE SAVED/FILED IN THE EMPLOYEES FILE FOR FUTURE REFERENCE.

FALKIRK COUNCIL: GROUP 2 VEHICLE MEDICAL CLEARANCE

1. EMPLOYEE DETAILS (to be completed by employee)	
Name:	Service:
	Work Location:
Address:	Employee No:
	Date of Birth:
Type of Vehicle to be driven on Falkirk Council business:	
LGV <input type="checkbox"/>	PSV <input type="checkbox"/>
Details of any driving medical incident(s)	
2. MEDICAL EXAMINATION BY EMPLOYEES GENERAL PRACTITIONER (to be completed by GP)	
The employee has health issues or undergoing treatment that may affect fitness to drive: YES/ NO (including any medication that may affect the ability to drive)	
If yes, is this a temporary or permanent condition? (if temporary, please specify time period)	TEMPORARY/PERMANENT
GP Signature:	Date:
GP Name:	
4. DECLARATION (to be completed by employee after medical)	
<ul style="list-style-type: none"> The details provided to my GP are accurate and I understand that it is an offence under the Road Traffic Act knowingly to make a false statement in order to drive a vehicle; I will notify my line manager immediately of any change in driving status (health/vision/convictions/medication) which may have an impact on my ability to drive; I understand that all information provided will be treated in confidence; I have received and read a copy of the Driver's Code of Conduct - Drivers of Council Vehicles; I have attached a copy of my Driving Licence. 	
Employee Signature:	Date:
5. APPROVAL TO DRIVE (to be completed by line manager)	
I confirm that I have checked the above employee's Medical return and satisfied that this employee is fit to continue driving duties.	
Manager Signature:	Designation:
Print Name:	Date:

Vehicle classification	Driving licence requirements	Persons who drive on Council business		
		Qualification requirements	Legally required training	Additional in-house training for all drivers ⁴
LGV: General vehicle	LGV “C”	CPC for LGV *	LGV licence 35 hours/5years *	
Refuse Vehicles	LGV “C”	CPC for LGV *	LGV licence 35 hours/5years *	Specialist vehicle driver training
Roads Vehicles, winter gritting	LGV “C”	CPC for LGV *	LGV licence 35 hours/5years *	Familiarisation training for gritter drivers
LGV with trailers under 750kg	LGV “C”	CPC for LGV *	LGV licence 35 hours/5years *	Provision of training for all new drivers
LGV with trailers over 750kg	LGV “C+E”	CPC for LGV *	LGV licence 35 hours/5years *	Provision of training for all new drivers
Specialist Vehicles: Fork Lift truck	Normal licence	Appropriate training	Fork lift truck certificate *	Specialist vehicle driver training
Dumper truck (see3)	Normal licence	Appropriate training	?	Specialist vehicle driver training
Construction vehicles (see3)	Normal licence	Appropriate training	?	Specialist vehicle driver training
Tractor	Normal licence	N/A	?	Specialist vehicle driver training
4 x 4 drive vehicles	Meet class vehicle requirements	N/A		Specialist vehicle driver training
Ride-on-mowers etc.	Normal licence	N/A	N/A	Specialist vehicle driver training
Passenger buses: Passenger buses	PCV	CPC for PCV *	CPC undertaken where required for job 35 hours/5years *	N/A

Buses operated under S19 & S22 permits -Transport Act 1985 (voluntary drivers)	PCV Normal Licence ² D1	CPC for PCV *	CPC undertaken where required for job 35 hours/5years *	1 day training (MIDAS or equivalent)
	Normal Licence ² D1	CPC for PCV *	CPC undertaken where required for job 35 hours/5years *	1 day training (MIDAS or equivalent)
Mini-buses				
All other vehicles: Light Lorries	Normal Licence ¹ C1	CPC for LGV	LGV licence 35 hours/5years	N/A
Vans & Crew-cabs	Normal Licence ¹ B, C1	CPC for LGV	LGV licence 35 hours/5years	N/A
Use of Trailers	Normal Licence ² +E	CPC for LGV	LGV licence 35 hours/5years	N/A
Cars All drivers to be risk assessed.	Normal Licence	N/A	N/A	N/A
Car Pool Vehicles	Normal Licence			Fleet Services Vehicle familiarisation training

1. C1 is restricted to 7.5t GVW. Vans depends on gross weight whether B or C1 is required
2. Beware of restrictions on some C1+E licences (often 8.25t GTW) and on some C+E licences
3. Construction vehicles include dumper, mini-excavator, roller and tractor loader with compressor.
4. Ensuring appropriate additional in-house training is delivered is the Service's responsibility.

FALKIRK COUNCIL

GENERAL RISK ASSESSMENT



(ROUTINE TASKS)

Corporate & Commercial Services
Human Resources,
Municipal Buildings
Falkirk, FK1 5RS

HR16B

Section 1 - TASK/S	Driving Duties; Example Risk Assessment	Ref No:
Service	All	
Employee/s Job Title		

Section 2 – HAZARDS IDENTIFIED: (if the hazard is present in the task / activity tick the relevant topic)

1	Aggression	√	16	Lone Working	√	31	Temperature	
2	Animal Attack		17	Machinery		32	Vehicles / Traffic	√
3	Asbestos		18	Manual handling / Lifting		33	Vibration	
4	Fabric of Building		19	Shift Work		34	Violence / Assault	√
5	Contact with body fluids		20	Noise		35	Ventilation	
6	Contamination / Disease		21	Falling Objects		36	Water Systems	
7	Display Screen Equipment		22	Plant Rooms		37	Weather	√
8	Dust / Fumes	√	23	Pressure Systems		38	Welding Flash	
9	Electricity		24	Radiation		39	Work equip/Tools	
10	Fire & Explosion		25	Repetitive Strain Injury		40	Working at Height	
11	Flammable material		26	Scaffolding / Ladders		41	Workplace Lighting	
12	Furniture		27	Sharps		42	Working Practices	√
13	Gas		28	Slip / Trip / Fall		43	Other	√
14	Hazardous substance		29	Stress			a) Vehicle breakdown	
15	Infestation		30	Substance Misuse			b) Road Traffic Accident	
							c) Medical Condition	

Section 3 – PERSONS AT RISK (Enter relevant numbers affected)

Employee	√	Non-Employee		Person / Child		Expectant / New Mother		Shift Worker	
Home Worker		Disabled/ Special Needs		Contractor		Lone Worker			

Section 4 – CONTROLS

Indicate below the reference no. of the hazard identified in Section 2, the present control method(s) and if it is considered these are adequate.

Hazard No.	Method of Controls	Adequate ? Yes or No
1 & 34	Include Council & Service procedures, relevant records held including training courses employees have/are required to attend.	Yes
8	Employees trained in dealing with aggression	Yes
	Vehicle checks before use, regular servicing of vehicles to ensure vehicle roadworthy & prevent dust & fumes from exhaust & ventilation systems, fault reporting system.	Yes
16	Written procedures, methods of communication, training.	Yes
32	Plan journey, take account of overall conditions, prepare route, watch out for Weather Alerts	Yes
37	Check on weather conditions prior to departure, contact with base, wear & use of suitable PPE.	Yes
42	Drivers are authorised, have appropriate licence and insurance covering the vehicles to be driven.	Yes
43 a)	Driver training, checks to ensure vehicle is roadworthy prior to use, fault reporting system.	Yes
	Employees who drive own car for work encouraged to have membership of a vehicle breakdown service.	Yes
43 b)	Availability of First Aid kit, accident reporting procedure, availability of fire appliance and checks on serviceability, staff training in vehicle evacuation, use of emergency procedures/services	Yes

Section 5 – COMMENTS

Identify hazards which have no means of control, or are not adequately controlled. List any recommendations which you feel may resolve the hazards

Hazard No.	Recommendations

Section 6 – OVERALL RISK RATING OF THE TASK/S TO BE UNDERTAKEN (Probable Frequency X Severity)

Frequency, scale : Low 1 - High 5	1 Improbable, 2 Possible but unlikely, 3 Happens infrequently 4 Happens quite frequently, 5 Happens very frequently
Severity, scale : Low 1 - High 5	1 Trivial injury, 2 Minor injury, 3 Hospital stay/Industrial illness 4 Major injury, 5 Fatality
Reasons: Frequency = 3, Severity = 4	
The assessment indicates that the task has the potential for risk. Existing control measures are in place to minimise the risk and provide employees with a safe working environment.	

Section 7 – IDENTIFY OTHER RISK ASSESSMENTS REQUIRED / RELEVANT (Circle)

COSHH / Manual Handling / Personal Protective Equipment / Noise / Vibration / Asbestos / Lead/ Display Screen Equipment / Fire/Other (*please state)

Assessors Name: Signature:..... Date:.....

Section 8 – ACTION PLAN (where appropriate)

Hazard No.	Action Required	Person nominated	Date Assigned	Date Completed

Managers Name: Signature:..... Date:.....

Date of Next Assessment Review: (NB at least annually)

Note: A copy of this Risk assessment must be kept at the place of work to which it refers and the risk factors and control measures brought to the attention of all employees carrying out and/or supervising or managing the work.

Route Risk Assessments Procedure and Guidance Note

Individual Route risk assessments are produced to accompany the dynamic and general risk assessment for domestic waste collection including recycling.

The individual assessments will be carried out for the refuse collection services in accordance with the H&S guidelines and procedures below:

The health and safety of any collection round will be subject to several levels of risk assessment.

- (i) Generic, focusing on vehicle design, training, PPE and any Health Surveillance
- (ii) Round Risk Assessment to establish default positions and guidance on a location/street based process
- (iii) A dynamic or on the spot risk assessment carried out by Driver/Team Leader which are permitted to vary the default position subject to an unwritten dynamic or on the spot risk assessment should there be any change to the circumstances.
- (iv) Examples include:
 - A turning area being blocked resulting in additional reversing required
 - A blocked road resulting in adjacent roads having heavier than normal traffic flows and therefore requiring single sided collection;
 - A collection being delayed or disrupted, resulting in normally busy roads (e.g. due to the school run) being less busy, and allowing a double sided collection.

Key Road Safety Factors

The object of carrying out a round risk assessment is to establish a “default” plan for collection that would be followed under normal conditions, i.e., weekday, school time, no major road works or other traffic disruption.

Dynamic assessment of weather conditions can also play a part.

The critical elements that need to be identified in the assessment are:

- (i) Whether waste should be collected from a single side or double sided; and
- (ii) Where vehicles can turn or if they cannot turn, where reversing / manoeuvring should be planned; and
- (iii) Any times when collection should be avoided; and
- (iv) The location of any other hazards that may affect collection.

Pedestrian safety, with regards to reversing and crossing the road, is affected by the following factors:

- (i) Road width and amount of parking - on narrow roads it is far easier for the Refuse Collection Vehicle (RCV) to be a physical barrier.
- (ii) The speed limit, speed of traffic, volume of traffic and the presence of traffic calming methods – this also links into time of day/month with regards schools and colleges etc.
- (iii) Visibility up/down the road - this is affected by bends and/or slopes, hedges, overgrown vegetation and the effects of time of day (particularly in winter when collections may take place very early or late in the day).
- (iv) Visibility up/down the road - this is affected by bends and/or slopes, hedges, overgrown vegetation and the effects of time of day (particularly in winter when collections may take place very early or late in the day).
- (v) Housing density and layout of street affecting the need and frequency to cross the road

Where there is a need for reversing / manoeuvring, vehicles should turn at the last location where a supervised 180 degree manoeuvre can be carried out.

It is important that the driver has information on these locations to avoid driving into a dead end and having to reverse out onto a road with a traffic flow.

The round risk assessment should also consider other issues that may affect the operation of the vehicle.

This includes:

- Overhead Electric Cables
- Overgrown Trees and Hedges
- Low Bridges
- One way streets in busy neighbourhoods
- Traffic calming measures that may affect vehicular access for a large collection vehicle

Roads where single sided collection is likely to be considered appropriate include:

- A and B classified Roads
- Dual Carriageways
- One way streets in town centres (concern with recycling where side sorting on a second pass would put a loader in the live traffic stream)
- Roads in towns where there is a 40mph speed limit

- “Rat Runs” and heavily used roads onto housing developments from main roads
- Roads with houses only on one side

Roads where double-sided collection would be expected include:

- Urban roads where an RCV can only just negotiate parked cars or where a narrow road under 3m wide
- Minor (not A nor B classified) roads where there is good visibility, little traffic, and properties are, on average, over 200m apart.
- Estate roads where there is a 20mph speed limit and traffic calming measures.
- “Cul- de-sacs” where the vehicle has reversed in and has to drive out – “Reverse In Drive Out” – RIDO

Changeable and Permanent conditions are considered on each hazard tables as this may have an impact on possible hazards both past and present.

Supervisor’s role

Complete the refuse collection data sheets and hazard identification sheets with each driver/charge hand for each road.

Complete the hazard identification table for each road and where required the hazards associated with above information.

See Hazard tables 1-3 in Appendix 2

Hazards are rated “high” “medium” and “low risk”.

This can be indicated by colours for “high” **Red** likely to occur, previous incidents in WMS, common problem.

Low risk; “**Green**” unlikely to occur never been heard of in industry, no previous incidents

Medium “**Orange**,” may occur and have been recorded in WMS industry.

Management Role

Management are to formalise consultation procedures with safety representatives and ensure that operatives have input to assessment. Consult also S&OH section where necessary on formulation of guidance and industry updates.

Management to complete summary of hazards and actions to reduce risks to be hyperlinked on route assessment excel spread sheet.

Route Hazard Information Sheet**REFUSE ROUTE COLLECTION**

Route		Driver :		Collection Type : Domestic/Blue/ Brown Green/ Trade		Date			
Location/Road		Road Conditions		Any regular hazards		Collection		Reversing	
						One side	Two side	Yes (distance)	No
Type		Parked Cars	Yes/Intermittent /No	Schools Play areas	Yes/No				
Road Speed		Narrow Road ----m	Yes/No	Shops	Yes/No	Reversing From			
Volume of traffic		Visibility	Poor/Good	What Obstructions		No of properties (if known)			
Time of collection		Density of Housing	High/Medium /Low	Other Information					
Comments									

Hazard Identification to be completed by Supervisor with information supplied by Driver of Route

Table 1 Example Hazard Identification of Road and Housing

Road Speed	Road Type	Traffic Flow E.g. rush hour	Density of Housing	Density of Parking	Narrow Road (width if known)	Visibility Weather conditions	Traffic Calming Measures	Blind bends/Concealed entrances
Changeable:		Yes						
Permanent :	Yes		Yes					
6-70mph	7-Dual/A Main	High-Unbroken Line	H- Mainly Terraced no off street parking	Y – Solid parking on 1 side	No (4.5m)	N –Poor	No	

Table 2 – Example Hazards associated with Effects of Pedestrians and Man made Obstructions

Schools/Play Areas/Community Centres	Shopping Centres/Markets Traders	Barriers, crossings and bus stops	Planned Access Restriction Road works	Overhead Obstructions	Exposed One Way Streets	Present collection (If Known)	Road width/Inclines/adverse cambers
Changeable: School holidays		Yes					

Permanent :	Yes						
Yes	Yes	Yes	Yes	O-Overhead Cables	Yes	2-Double Sided	
No	No	No	No	T- Overhanging Trees	No	1-Single Sided	
				B – Low Bridges			
				N- None			

Table 3 – Hazards associated with Reversing/Manoeuvring Issues

Reversing Required	Reverse In Drive out (RIDO)	Suitable Turning Head	Distance Reversed Estimate (m)	Straight Reverse
Permanent: Changeable				
Yes	Yes	No		No
No	No	Yes Blocked		Yes
		Yes clear		

Summary of Hazards for each Route: Updated every two years or when required.

To be completed by management:

Hazards Identified	Risk High Medium Low	Actions to reduce risk: E.g. Additional camera, change times of routes, new SSOW. GPS system update	Management Responsible	Action/Times scales
Road and Housing (Table 1)				
Effects Of Pedestrians (Table 2)				
Reversing hazards (Table 3)				

Each summary sheet will be attached to route identifying main hazards.

All operatives can have access to hazard tables via the intranet.

FALKIRK COUNCIL

**GENERAL RISK ASSESSMENT
(ROUTINE TASKS)**

HR16B

Section 1 - TASK/S	Example Risk Assessment: Premises vehicle movement risk assessment	Ref No: WPT. 1
Service		
Employee/s Job Title	Premises Manager (all site users, employees and non employees must comply)	

Section 2 – HAZARDS IDENTIFIED: (if the hazard is present in the task / activity tick the relevant topic)

1	Aggression		16	Lone Working		31	Temperature	
2	Animal Attack		17	Machinery	√	32	Vehicles/ Traffic	√
3	Asbestos		18	Manual handling / Lifting	√	33	Vibration	
4	Fabric of Building		19	Shift Work		34	Violence / Assault	
5	Contact with body fluids		20	Noise		35	Ventilation	
6	Contamination / Disease		21	Falling Objects		36	Water Systems	
7	Display Screen Equipment		22	Plant Rooms		37	Weather	
8	Dust / Fumes		23	Pressure Systems		38	Welding flash	
9	Electricity		24	Radiation		39	Work equip/tools	
10	Fire & Explosion		25	Repetitive Strain Injury		40	Working at Height	
11	Flammable material		26	Scaffolding / Ladders		41	Workplace lighting	
12	Furniture		27	Sharps		42	Working Practices	
13	Gas		28	Slip / Trip / Fall		43	Other	√
14	Hazardous substance		29	Stress			Site layout	
15	Infestation		30	Substance Misuse				

Section 3 – PERSONS AT RISK (Enter relevant numbers affected)

Employee	√	Non-Employee	√	Person / Child	√	Expectant / New Mother		Shift Worker	
Home Worker		Disabled/ Special Needs	√	Contractor	√	Lone Worker			

Section 4 – CONTROLS

Indicate below the reference no. of the hazard identified in Section 2, the present control method(s) and if it is considered these are adequate.

Haz No.	Method of Controls	Adequate? Yes or No
	Include corporate & Service procedures, all relevant records held including training courses and details of employees who have/are required to attend)	
17	Identify any other vehicles/machinery used on site e.g. grounds maintenance tractors & ride-on lawn mowers and ensure traffic management controls are applied to these vehicles.	
18	All areas identified for delivery vehicles are to be kept clear and have roads marked as such. Where practicable level access into premises should be provided to minimise manual handling problems.	
32	Ensure vehicle routes conform to street signage and road markings as per highway code markings. Ensure that pedestrians have priority. Ensure disabled users have suitable parking at entrances and access/egress is suitable at all areas. Ensure lighting is adequate at all times of use e.g. out of hours/winter.	
43	Site layout, there may be inherent risks in the layout of car park (s) and access/egress routes. The areas should be examined at various times of the day to identify areas of congestion, blind spots, and areas where pedestrians may be at risk from collision with vehicles. These areas should be identified in the traffic management plan for the premises and suitable arrangements put in place to reduce risks e.g. mirrors on blind corners and where possible operation of a one way traffic management system.	

Other	Consider impact of site activities on adjacent roadways e.g. volume of traffic at peak times, bus stops, shops etc.	
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Section 5 – COMMENTS

Identify hazards which have no means of control, or are not adequately controlled. List any recommendations which you feel may resolve the hazards

Hazard No.	Recommendations
	Note: Attach site map identifying all traffic routes to cross-reference Control Measures.

Section 6 – OVERALL RISK RATING OF THE TASK/S TO BE UNDERTAKEN (Probable Frequency X Severity)

[illegible]

Section 7 – IDENTIFY OTHER RISK ASSESSMENTS REQUIRED / RELEVANT (Circle)

COSHH / Manual Handling / Personal Protective Equipment / Noise / Vibration / Asbestos / Lead/ Equipment / Fire/Other (*please state)		Display Screen
Assessors Name: Date:	Signature:	

Section 8 – ACTION PLAN (where appropriate)

[illegible]

Managers Name: Signature: Date:	
Date of Next Assessment Review: (N.B. at least annually)	

GENERAL RISK ASSESSMENT HR 16 (For Complex Tasks)**1. TASK DETAILS**

Title: <i>(Example generic assessment)</i> Workplace Transport – Complex Premises, e.g. schools, depots, construction sites.	Service / Department: Various	Location: Various	Ref No. HS&C example 4
Operations Covered: Various		Employee/s Job Title:	

2. TASK ANALYSIS: (Brief Description)

Task Analysis	Persons at Risk	Equipment Used	Hazards Identified	Risk
1) Access to premises	Drivers, pedestrians e.g. employees & service users in area	Vehicles – Bus, Car (Private/Council), Van, Lorry, Trailer, Refuse Vehicle, Grounds Maintenance equipment	Narrow entrance Congestion Poor visibility Impact of traffic on adjacent roads	Collisions & Physical injury
2) Load / Unload vehicle with Passengers / materials	Drivers, Occupants of vehicles, Passengers e.g. (Client / Children / Other employees / Service users / Escorts).	Vehicle – Bus, Car (Private / Council), Van Lorry, Trailer, Refuse Vehicle	Entering / alighting from vehicle Trip hazard on stairs if vehicle has an upper deck. Reversing vehicles.	Physical Injury Falling loads Collision
		Wheel chairs & other Equipment	Pulling, pushing, lifting	Trips, fall, sprains, strains
		Electrical / Mechanical Tail Lift	Faulty wiring Equipment either not functioning as	Delays in operations

			intended or in need of repair	
		Material handling equipment e.g. sack barrows	Pulling, pushing, lifting	Strains, sprains to muscles. Crushes to hands and feet
		Items being transported e.g. LPG, cylinders	Flammable / unstable material Exposure to substances	Risk of shock & Cuts, abrasions, strains, sprains
3) Vehicle Access	Pedestrians	Road Signage Vehicles	Confusion over instructions No marked pedestrian routes Reversing vehicles Emergency vehicles access is blocked	Collision with vehicles/pedestrians Emergency Service work is delayed
4. Pedestrian Access	Pedestrians	As defined by manager	Collision with vehicles	Injury to persons
5. Disabled Access	Disabled employees/ Service users	Vehicles –bus/car.	Restricted access to premises	Delays/injury/stress
6. Emergency Services Access	All premises users	Emergency vehicles As relevant to premises	Restricted access to premises	Delays/injury/stress
7. Premises Specific Risks e.g. L.P.G storage, electrical sub-stations, low power cables	All site users		Relevant to premises e.g. flammable liquid, working in high risk areas.	Fire/ injury/fatalities

3. AVAILABILITY OF RECORDS AND APPLICATION OF MANAGEMENT SYSTEMS:

(Circle as appropriate)

Training (employees / clients / students)	YES/ No / Na	Maintenance (e.g of equipment / servicing)	YES / No / Na
Personal Protective Equipment (e.g. PPE issue / maintenance)	YES/ No / Na	Management Systems (e.g. procedures, controls etc)	YES/ No / Na
Statutory Checks (e.g. gas/electricity/pressure systems/ventilation etc.)	YES / No / Na	Hazard Data Sheet (e.g. COSHH – copy sheets to be attached)	YES/ No / Na

4. SUMMARY OF PREVIOUS ACCIDENTS/INCIDENTS : (List any previous accidents/incidents relating to the task/s identified in this risk assessment that have been recorded over a significant time period i.e. over the past 3 years). Example – x recorded – enter reference / date of accident or incident and brief details

5. LIST OTHER EXISTING RISK ASSESSMENTS THAT ARE RELEVANT TO THE TASK/S: (i.e. identify those other existing R/A's which may cross reference with this General R/A e.g. Lone working, Sharps, Transport, Operating machinery, COSHH, Violence/Assault, Manual Handling etc.). Example – Operating Machinery, COSHH, Manual Handling, Security etc. ref. No. XYZ

6. IDENTIFY OTHER RISK ASSESSMENTS THAT ARE REQUIRED TO BE COMPLETED TO ACCOMPANY THIS RISK ASSESSMENT:

(e.g. part of the task/s may require to be risk assessed under other regulations such as COSHH, Manual Handling etc.) **YES / No**

(Circle as appropriate)

COSHH**MANUAL HANDLING****PERSONAL PROTECTIVE EQUIPMENT****NOISE****LEAD****ASBESTOS****Risk Assessment Ref. No.**

7. OVERALL COMMENTS ON THE ACTIVITY

This example risk assessment indicates the potential for risk at a complex premises and the effects of operations on various personnel dependant on their role.

8. EXISTING CONTROL MEASURES

(Include Council and Service procedures, relevant records held including training courses employees have / are required to attend)

1) Access to premises 3) Vehicle Access 4) Pedestrian Access & 5) Disabled Access

Consideration should be given to implementing:

Traffic Management System
 Speed Limits
 One Way System where possible
 Adequate/correct signage as per highway code
 Adequate lighting of area e.g. winter & out of hours
 Consideration given to access for disabled users, emergency vehicles and delivery vehicles
 Pedestrian areas segregated and marked
 Employees who are drivers are authorised, have appropriate licence and insurance covering the vehicles to be driven
 Review delivery times, this may require restrictions in delivery times in busy car parks
 Vehicle and equipment checks prior to use
 Vehicle fault reporting system
 Identify any other vehicles/machinery used on site e.g. grounds maintenance tractors & ride-on lawn mowers and ensure traffic management controls are applied to these vehicles.
 Consider impact of site activities on adjacent roadways e.g. volume of traffic at peak times, bus stops, shops etc.

2) Loading/Unloading vehicles with Passengers/materials

Consideration should be given to implementing:

Written procedures
 Drivers Code of Practice
 Follow written safe systems of work advice
 Correct position of vehicle in relation to safe loading/unloading/hitching
 Training in moving and handling techniques
 Checking procedures on equipment before use
 System for reporting of defects and maintenance controls in place
 Training in operation of tail lift
 Training in equipment use
 Provision and use of suitable PPE e.g. safety footwear, gloves
 Use of specially adapted vehicles or those approved for purpose
 (Include Council and Service procedures, relevant records held including training courses employees have/ are required to attend)

6) Premises that have specific risks on site such as L.P.G. storage, electrical

sub-stations, low power cables

These premises will require to have separate risk assessments specific for the management of these risks that will compliment the traffic management risk assessment, comment on road layout, signage, pedestrian routes and proximity of storage facilities

7) Specific Risks at Premises

Additional measures and risk assessments may be necessary depending on type and location of premises and should be used in conjunction with this risk assessment.

9. OVERALL RISK RATING OF THE TASK/S TO BE UNDERTAKEN (Probable Frequency X Severity)

Frequency, scale : Low 1 - High 5 = 1 Improbable, 2 Possible but unlikely, 3 Happens infrequently, 4 Happens quite frequently, 5 Happens, very frequently

Severity, scale : Low 1 - High 5 = 1 Trivial injury, 2 Minor injury, 3 Hospital stay/Industrial illness, 4 Major injury, 5 Fatality

Scores; Frequency = Severity = Risk Rating =

Reasons for this conclusion: Example: Because of (xyz) the consequences of the risk(s) indicate an overall risk rating of (xyz).

10. CONCLUSION ABOUT THE RISK AND ADEQUACY OF CONTROL MEASURES: (i.e. Summary of assessment findings)

The risk assessment has identified adequate control measures in control of the risk, however it is considered that further controls are required to minimise the risk.

11. RECOMMENDATIONS FOR IMPROVEMENT:

Example:

- 1) Provide supporting evidence of vehicle checks being carried out e.g. checklist which is signed off.
- 2) Review existing control measures to ensure these are current.
- 3) Provide further employee training as necessary e.g. refresher.
- 4) Ensure that additional risk assessments where identified are completed.

ASSESSOR'S NAME:

SIGNATURE:

DATE OF ASSESSMENT:

12. ACTION PLAN

ACTION REQUIRED	PERSON NOMINATED	DATE ASSIGNED	DATE COMPLETED
Example: 1) Verify supporting evidence is available of vehicle checks.	A.N. Other	Within 3 mths.	XYZ
2) Review existing management controls and update as required.	A.N. Other	Within 3 mths.	
3) Review training requirements for employees and arrange as necessary.	A.N. Other	Immediate	XYZ
5) Arrange completion of additional risk assessments.	A.N. Other	Immediate	
6) Obtain/develop a site drawing of premises & record main elements of traffic management plan on drawing.	A.N. Other	Immediate	XYZ

MANAGERS NAME:

SIGNATURE:

DATE:

DATE OF NEXT ASSESSMENT REVIEW: No later than 12 months from the date of this assessment.

COMMENTS:

Note: A copy of this Risk Assessment must be kept at the place of work to which it refers and the risk factors and control measures brought to the attention of all employees carrying out and/or supervising or managing the work.

TRANSPORT MANAGEMENT IN CONSTRUCTION DESIGN MANAGEMENT

To ensure that all risks associated with workplace transport are managed effectively, the following information defines areas of responsibility for those involved in managing new development and refurbishment projects in their Service to enable compliance with Construction Design and Management Regulations (CDM).

PLANNING STAGE

Manager & Service Lead Officer

When a capital project for a new build or a major refurbishment of an existing Council premises is planned, it is the responsibility of the manager requesting the construction work, in conjunction with the Head of Service or Head Teacher within the Service with designated CDM responsibilities (Service Lead Officer), to ensure that traffic management issues are considered and included as part of the design brief. Existing workplace traffic management risk assessments should be reviewed as standard when a refurbishment contract is planned and any proposed alterations that would improve the management of workplace transport should be included in the design brief given to the Design Architect.

Design Architect

The Design Architect is responsible for ensuring consideration is given to traffic movement and pedestrian access/egress in the overall design brief for the workplace premises. The Design Architect should identify key transport risks involved in the construction phase of the project to be included in the Health & Safety file to be provided to the Principal Contractor.

CDM Officer - Development Services

The CDM Officer - Development Services will present a Health and Safety File to the Principal Contractor which includes details of key transport risks involved in the construction phase of the project.

CONSTRUCTION STAGE

Principal Contractor

The Principal Contractor is responsible for undertaking a workplace transport risk assessment for the duration of the construction/refurbishment contract and for producing a Health & Safety Plan that takes account of all foreseeable risks associated with operational work activities, including workplace transport. Where the proposed construction work is likely to share an adjacent site(s), the premises manager(s) must be consulted regarding the implementation of any temporary traffic management risk assessment arrangements during the construction phase of the project.

HANDOVER STAGE

CDM Officer – Development Services

The CDM Officer is responsible for ensuring that, prior to completion of work on a new build/refurbishment project, a workplace traffic management risk assessment is completed as part of the Health and Safety File for the workplace premises. On completion of the project he/she will review this in liaison with the relevant manager and Service Lead Officer. Thereafter the Premises Manager is responsible for ensuring that this risk assessment is reviewed on an annual basis.

BOOKING PROCEDURE POOL VEHICLE

Pre Booking requirements

1. Prior to booking any pool vehicles, employees must ensure they have provided the following driver information to Fleet Services:
 - A completed Authorisation to Drive form
 - A signed copy of the Drivers Code of Conduct
2. Documents should be stored on docstore by each service

First time users of pool vehicles

3. If you have not used a pool vehicle before, and require a familiarisation session contact Fleet Services to arrange a suitable time: 01324 590412.

Booking Times

4. Bookings can be made between the hours of 08:00 and 17:00, Monday to Friday. The Business Support Team in your Service location will help to support the booking process.
5. Microsoft Outlook is used to facilitate bookings. If you require the booking before 08:00, make arrangements to collect the vehicle pack/ keys from reception the evening before. However the vehicle must remain parked at the pool car location and collected in the morning.

Booking Information Required

- All bookings must be made in the driver's name
- Driver's decide the type of vehicle required i.e. car with 3 or 5 doors or a van if you require to carry large items
- If the nature of the journey requires confidentiality in terms of an unmarked pool car, contact Fleet Services 01324 590412
- Provide your work location, the date and time the vehicle is required and the date and time the vehicle will be returned
- Microsoft Outlook clearly shows who has booked the vehicle and the booking times – the vehicle pack and keys will be collected via your Service's Business Support Team.
- Try to ensure that vehicles are only booked for the actual times required
- When you collect your vehicle pack, do not leave the pack in an unsupervised area, it should be kept on your person where possible to avoid loss or misplacement.
- Return the vehicle at the end of the booking time so not to impact another users booking. If for any reason the car will not be returned on time.
- Try not to block book pool vehicles and remember to cancel any bookings that you do not require (i.e. holidays, cancelled appointments etc)
- If a pool vehicle is not collected within 1/2 hour of the booking start time, the booking may be cancelled and pool vehicle made available for use.

Before your journey begins

- Before you set off, carry out the First Use Vehicle Check (FUVVC) process and complete all relevant paperwork including completing the driver log book. If you consider the vehicle has a major defect or has been damaged, report this immediately to Fleet Services on 01324 590412
- Once the check has been carried out, complete and sign the log book. Confirm the vehicle odometer reading and enter the details of your journey
- Finally before you set off, check that you have sufficient fuel for your journey
- You should ensure that you return the vehicle with at least half a tank of fuel – it is the previous driver's responsibility to ensure that the vehicle has sufficient fuel. If you find that this is not being followed, please raise this with your line manager who will investigate.
- Vehicles are fitted with trackers and journey details will be monitored and reported monthly by way of a KPI report

Procuring fuel

An agreement with the Scottish Government and Fleet Services means fuel is available at named locations, this information is included within the vehicle pack.:

To procure fuel you need to provide the point of sale staff with the following:

- The fuel card for the vehicle
- Your Council ID card
- The vehicle registration number
- The vehicle's mileage or odometer reading
- If prompted you will need to enter the PIN number which is noted on the log book.
- The PIN number must not be disclosed to the point of sale staff or anyone else
- Ensure that you select the correct fuel in the vehicle - unleaded petrol (do not select super unleaded)

N.B. Fuel cards are issued with the vehicle's registration number embossed on them. Do not use a fuel card if the registration number on the card does not correspond with the registration number of the vehicle. Report this to your line manager or contact Fleet Services for advice.

Breakdowns, Accidents and Emergencies

- The vehicle pack contains details of who to contact in the case of a breakdown, accident or emergency. Contact Fleet Services on 01324 5990412 (although other contact numbers are also provided as a backup) during normal office or the Contact Centre on 01324 304050 at all other times
- In breakdown or emergency situations, ensure that you and other road users and pedestrians are safe from danger. Do not take risks which might harm yourself or others and phone 999 for emergency services at the first opportunity if ambulance, police or the fire service is required.

End of pool vehicle session

- The vehicle must be returned to the designated parking space at the same location it was collected from
- Ensure that you remove all your personal items and the car is left clean and any rubbish removed. You must also ensure there is sufficient fuel, i.e. at least a half tank of fuel for the next user
- If the vehicle is not in the same condition as when the booking commenced, report any damage or defects to the Business Support Team when you return the keys and vehicle pack. If there is any damage, a vehicle check should be booked with Fleet Services to address this.
- Complete your log book entry and record the total mileage, odometer reading and fuel level
- The vehicle pack and keys, with all items intact should be returned promptly to the Business Support Team when you enter the building at your pool vehicles location.
- The Business Support Team should be advised if you are returning the vehicle earlier than the booking end time, to ensure it is made available for other users

Vehicle Cleaning

Each Service is responsible for valeting and cleaning of their pool vehicles and should endeavor to keep vehicles in good condition, having them cleaned regularly. As part of on-going framework arrangements, car washing and valet services are available from:

- GLEAMING AUTOCARE, UNIT 1, BANKSIDE INDUSTRIAL ESTATE, FALKIRK FK2 7XJ
- PRISTINE CAR WASH, FALKIRK STADIUM, STADIUM WAY, FALKIRK FK2 9EE

Promoting sustainable user of pool vehicles:

- Try to plan your journey ahead of time and where possible to avoid traffic jams and road works
- Avoid short journeys unless necessary as they are less fuel efficient since cold engines use almost twice as much fuel.
- Adhere to speed limits and the Highway Code
- Finally avoid letting the engine idle for periods when the vehicle is not moving. If you are waiting for more than a minute or two, switch the engine off.



FALKIRK COUNCIL

DRIVING AT WORK POLICY

CODE OF CONDUCT FOR DRIVERS OF COUNCIL VEHICLES



JANUARY 2018

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PART 1**1. INTRODUCTION**

We are committed to maintaining a safe and healthy working environment for our employees, service users and other members of the public.

Driving is an everyday activity but we recognise that workplace transport presents risks to employees and others. Risks that have to be effectively managed as with any other work activity. We will ensure that appropriate management systems, procedures and risk assessments are in place to protect employees and others that could be affected by work activities involving workplace transport.

The Driving at Work Policy applies to all employees who drive at work on Council business. It also applies to people like youth leaders or voluntary drivers for Community Groups who drive to support Council activities. This includes driving as a work activity or travelling between locations in the course of your work. This Code of Conduct is intended for anyone who drives Council vehicles.

You should read this Code of Conduct and complete the declaration at page 14 before carrying out any work related driving. This is to confirm you have read and understood the Code. The signed declaration should be returned to your line manager to file in docstore in your personal file.

PART 2**1. GENERAL****1.1 USE OF VEHICLES ON COUNCIL BUSINESS**

Often the simplest means of controlling risk is to avoid it altogether. Meeting with service users and colleagues is a vital part of how the Council does business. So travel is still necessary to support this. But it is still important that travel is planned to make most benefit of your time and those you need to meet. You should also consider the value each person will be adding to the meeting, it may be possible for others to represent your views and provide you with feedback.

Before driving on official business employees should consider using alternatives. These include:

- Conference calling
- video-conferencing
- walk or cycle to the meeting
- meet at a central location to minimise travel
- public transport

Driving should only be carried out when really necessary and carsharing is recommended wherever it is practical.

1.2 AUTHORISATION TO DRIVE

Before driving a Council Vehicle you must complete an “Authorisation to Drive at Work” form and have it approved by your line manager. You must:

- have a current driving licence appropriate to the type of vehicle(s) to be driven
- not have a medical condition that impacts on your ability to drive at work;
- confirm that your eyesight meets the requirements set out in the Highway Code
- not have any driving convictions that would prevent you from driving at work

You must repeat this process annually.

1.3 LICENCE TO DRIVE

It is your responsibility to ensure you hold a valid driving licence for the category of vehicle being driven. More information on driving licence categories is available at <https://www.gov.uk/driving-licence-categories>.

You must present any licence(s) to your line manager on request. It may also be necessary for any licence(s) to be reviewed by a DVLA approved Vehicle Licence check contractor. If this is required you must sign a mandate to authorise the check.

If you are disqualified from driving you must not drive a Council vehicle until the endorsement has expired. This will be managed in line with the Council's Capability or Disciplinary Policy as appropriate.

1.4 HEALTH

You must report anything that could impair your driving abilities immediately to your line manager. This includes any deterioration in your health, any personal factors or the effects of any medication or intoxicating substance that could affect your ability to drive.

More information on conditions that can affect an individual's suitability for driving can be found <https://www.gov.uk/health-conditions-and-driving>.

You should have a regular eye-sight test to ensure your vision is of a standard appropriate to driving.

1.5 CONVICTIONS

You must immediately report any endorsement on your licence to your line manager. If you accumulate 8 or more penalty points you may not be allowed to continue to drive for work purposes. This will be managed in line with Council policies and could result in you being redeployed to a non-driving role.

1.6 RELEVANT LEGISLATION

You must be aware of and be able to apply the rules in The Highway Code. The Highway Code is available at <https://www.gov.uk/guidance/the-highway-code>.

You must have a working knowledge of all legislation and Codes of Practice relevant to your work activities.

1.7 DRIVERS HOURS – WRITTEN RECORD

Where driving hours are recorded manually you must complete a record sheet in line with your local procedures.

1.8 DRIVERS HOURS – TACHOGRAPHS AND DRIVERS TACHOGRAPH CARDS

When driving a vehicle equipped with a digital tachograph you must ensure that:

- the tachograph is calibrated by checking the calibration plaque or interrogating the instrument
- your driver card is inserted into the correct slot and that it is ready for use before the vehicle is moved
- the driving is being recorded accurately
- you don't exceed your daily driving or duty limits

Information from the tachograph and the drivers card will be downloaded periodically and analysed to check drivers are complying with legal and Service requirements. You should discuss any concerns regarding your driving or duty hours with your line manager.

1.9 REST PERIODS

Driving when tired significantly increases the risk of being involved in a collision. Your line manager will provide you with information on how many hours you can drive and the breaks that you need to take. They will also organise your work to allow for adequate rest breaks. You are responsible for making sure that you take breaks from driving at appropriate intervals.

1.10 BREACH OF DRIVING AT WORK POLICY

Any breach of the Policy will be investigated and where, appropriate, dealt with in line with the Council's Disciplinary Policy.

2. MAINTENANCE

2.1 FIRST USE VEHICLE CHECKS

You must inspect any vehicle prior to your own first use of it in any work period. Inspections should be recorded on the First Use Vehicle Check Form.

If there are any defects you should notify your line manager immediately. If your line manager is not available you should contact Fleet Maintenance for advice. The vehicle should not be driven unless approved by your line manager or Fleet Maintenance. You should record:

- what action is required
- who instructed the action

All completed forms should be returned to your line manager.

2.2 VEHICLE CLEANLINESS

You should ensure that:

- registration plates, lights, indicators, marker plates, wing mirrors, windscreen and cab windows are kept clean **AT ALL TIMES**.
- the vehicle is kept in a clean and tidy condition inside and out
- any vehicle which travels on landfill sites is washed daily
- all moving parts on the body and ancillary equipment of refuse collection vehicles are kept free of refuse and debris.
- sweeping vehicles are cleaned daily according to instructions issued by the Service.
- all cleaning activities are appropriate to the vehicle and conditions where it's being used

2.3 RE-FUELLING

You must ensure that your vehicle has sufficient fuel to complete the work schedule. If the vehicle requires the additive AdBlue you must ensure this is topped up as required.

Fuel for service vehicles should only be drawn from Falkirk Council depots or designated garages in the case of petrol. See Appendix A for authorised re-fuelling points.

Fuel key fobs must only be used to re-fuel the vehicle to which it is assigned. Fuel pin numbers should not be given to or used by any other person.

Fuel for pool vehicles is available from specified locations which are included in the vehicle pack.

2.4 WHEEL CHANGING

If your Council vehicle suffers a puncture during normal fleet working hours (08.00-16.00 Mon- Thurs, 08.00- 15.30 Fri) you should contact Fleet Services on 01324 590412. They will arrange for a tyre replacement. Outside of normal fleet working hours you should contact the Council's Emergency Control on 01324 503050 to arrange a replacement.

You should provide the following information:

- Your name & contact number
- Location of the vehicle
- Vehicle registration number
- Tyre Size and load index, where applicable
- Position of tyre to be replaced; offside front or rear, nearside front or rear

The wheel nuts must be rechecked for tightness after the vehicle has stood for a period of 30 minutes, whether the vehicle has moved or not, or within 30 miles of the tyre being replaced. During normal working hours you should take the vehicle to Fleet Services for this to be done. If you are unable to return to Fleet Services within 30 miles or 30 minutes of the tyre change you should notify your line manager.

Outside of normal fleet working hours Emergency Control will arrange for the duty Fleet Services mechanic carry out the retorquing procedure.

You must stay with your vehicle if it is safe to do so. You should advise your line manager of all actions taken.

3. USE OF VEHICLES

3.1 BUSINESS USE ONLY

Private use of Council vehicles is not permitted and will be dealt with under the Council's Disciplinary Policy. For example, travel home at lunch time would be considered private use.

Vehicles taken home for stand-by and call out duties or any other authorised use must only be used for those purposes. Any other private use is not permitted.

A number of Falkirk Council vehicles are now equipped with Global Positioning Systems (GPS). Its use is intended to improve vehicle utilisation and job allocation as well as helping to ensure employee safety. Where an issue comes to light the system could also be used to support any investigation under the Council's Disciplinary Policy

3.2 PASSENGERS

Passengers are only allowed in vehicles where there are seats installed specifically for this purpose. Seatbelts must be worn on all vehicles where they are fitted. They should be worn at all times on or off the main highway. It is your responsibility to make sure your passengers are wearing a seatbelt before moving off.

Members of the public should not be carried as a passenger unless it is directly linked with the Council's work; for example, if a passenger carrying vehicle is being used to transport service users.

Passengers must not be allowed to ride on or in a trailer of any description or in the cab of a tractor.

Before passengers dismount you should make sure it is safe for them to do so.

3.3 LEAVING VEHICLES/PARKING

Whenever you park a Council vehicle make sure it is parked in a safe place and properly secured.

You should take care when parking vehicles; whether on Council premises, at home or on the street. Make sure it is not blocking the road or parked on pavements or footpaths. You will be liable for any fines incurred from illegal parking.

3.4 LOADING & UNLOADING

You should ensure that all loads are stable and properly secured. If your load has a number of separate items they should be secured so that no single part can move on its own. Load sheets are intended to protect the load from the weather and to stop loose material from being blown from the vehicle. They should not be used to secure a load.

Ropes, chains and other lashings should be checked before use and should be suitable for the job. Lashings should be attached to proper anchor points. You should regularly check that your load is secure.

You should ensure that your vehicle is suitable for the load to be carried. For example, flammable materials such as petrol or liquid petroleum gas (LPG) cylinders can only be carried in vehicles specially adapted or approved for this purpose.

You must ensure that all trailers and trailed equipment is properly hitched with lynchpins and safety pins inserted where fitted. If the trailer is connected by a ball and socket coupling make sure that the ball and socket is free from all dirt and grime. The

emergency safety braking cable should be properly coupled and the jockey wheel raised and secured.

All loose materials like sand, chips, granules or loose waste should be covered by a tarpaulin sheet and lashed.

If the load extends over the front, rear or sides of the vehicle you should get approval from your line manager before driving.

Your vehicle must not exceed its maximum permitted weight at any time. The maximum permitted weight is the weight of the vehicle plus any load it is carrying. If you think your vehicle is overloaded you must report this to your line manager.

You must ensure that all people are kept well clear of the body of the vehicle before and during any tipping or unloading operations. When tipping you must pay particular attention to overhead power lines, wires, lighting, cross girders, doors etc.

It is your responsibility to ensure that the body of the vehicle is correctly secured after unloading.

You must use hazard warning lights when loading or unloading at the roadside. Vehicles should only be loaded or unloaded where it is safe and permitted to do so.

3.5 VEHICLE BODY PROPS

If you are required to go under the body of your vehicle in the tipped or raised position you must ensure the body of the vehicle is securely propped using suitable equipment.

3.6 VEHICLE HEIGHT

Before driving you must familiarise yourself with the travelling height of the vehicle. You must not drive a vehicle for any distance with the body in the tipped position.

3.7 EMERGENCY EQUIPMENT

Appropriate first aid equipment will be supplied. Where a first aid kit is carried on a vehicle you must regularly check it to ensure that none of the items are out of date or missing. You must report any deficiencies to your line manager.

If a fire extinguisher has been discharged for any reason you should report it to your line manager to be recharged or replaced.

If any piece of emergency equipment is missing you must report the loss to your line manager as soon as possible.

3.8 ROAD CONDITIONS

Weather conditions can cause a range of problems for travel and transport systems. Drive at a speed appropriate to road and traffic conditions. Plan ahead and allow extra time for your journey where necessary. Avoid getting into situations where you are taking risks on the road just to gain a few minutes. You should discuss any concerns regarding driving conditions immediately with your line manager.

3.9 ALCOHOL/DRUGS

It can take several hours for the intoxicating effects of alcohol or drugs to subside. You are not allowed to drive if you are under the influence of alcohol or drugs at any time during the working day.

You should seek advice from your GP when being prescribed drugs of any kind on how they may effect your ability to drive.

You must report anything that could impair your driving abilities immediately to your line manager.

If you are found to have been under the influence of an intoxicating substance while on duty it will be investigated under the Council's Disciplinary Policy and may be regarded as gross misconduct.

Carrying alcohol or drugs in Council vehicles is not permitted without explicit permission from your line manager.

3.10 SMOKING

Smoking is not allowed in any Council vehicle.

3.11 IN-VEHICLE TECHNOLOGY

The use of in-vehicle technology, like mobile phones, satnav or audio systems, can distract a driver and increase the risk of accident. Distracted drivers generally underestimate the effects that distraction has on them and don't perceive any reduction in awareness or ability to spot hazards. You must familiarise yourself with the safe use of in-vehicle systems before starting your journey and avoid making adjustments while driving.

It is illegal to use a hand-held mobile phone while driving. If you are stopped by VOSA or the Police and cautioned or charged you must report this to your line manager immediately. You can carry hand-held mobile phones in your vehicle but must be safely parked with the engine switched off before making or receiving a call.

It is not reasonable for your supervisor or line manager to expect you to answer your phone whilst driving.

If suitable hands-free equipment is installed mobile phones may be used. However, using a mobile phone while driving is still a significant distraction even with hands-free equipment. It can increase the likelihood of drivers being involved in an accident. To help keep you and other road users safe you should:

- not make or receive calls, send or read texts or e-mails or otherwise use a mobile phone while driving.
- switch off mobile phones whenever possible while driving and use voicemail facilities
- only be pick up and respond to messages when it is safe to do so
- satisfy normal business needs by checking mobile phones before or after driving or during a break in your journey

3.12 LIGHTS

You must use headlights during the hours of darkness or at any times when visibility is reduced; particularly in adverse weather conditions. You should never only use side lights when driving.

3.13 SEAT BELTS

You must ensure that you and your passengers wear seat belts on all vehicles and plant where they are fitted. Seat belts must be worn at all times on or off the main highway. This includes parks and landfill sites. There are no exceptions.

3.14 REVERSING

Accidents involving vehicles reversing can result in serious injuries as well as considerable damage to vehicles, equipment and property. Reversing cameras must be used if they are fitted. You must also use a banksman whenever reversing if one is available.

The job of a banksman is to guide drivers and make sure the area behind the vehicle is free of pedestrians, vehicles and any stationary objects. If you are using a banksman make sure you understand the signals they are going to use and you keep them visible at all times.

If a banksman is not available you must drive with all due care and attention to pedestrians, other vehicles and all other stationary objects when reversing.

3.15 AGGRESSIVE DRIVING

Aggressive driving behaviour can take many forms like speeding, driving too close to the car in front or improper lane changing or weaving; the list is long. Most people drive aggressively from time to time through impatience, annoyance or even in an attempt to save time. Many drivers are not even aware when they are doing it. Aggressive driving, regardless of its motivation, can increase the risk of collision. You should:

- plan ahead and allow plenty of time for your journey. Avoid getting into a situation where you are racing to gain a few minutes and taking risks on the road
- try to avoid driving when you are feeling stressful, emotional or angry or if you feel unwell or distracted for any reason
- be courteous to other drivers and avoid actions likely to provoke. Make sure that your driving does not upset others. Set a good example by respecting other road users. Recognise your own aggressive driving behaviour and correct it.
- be polite and courteous even when other drivers behave unreasonably. Do not react to other drivers who are challenging you or may be looking for conflict. Pull over and let them pass. Do not engage in eye contact. Keep your hands on the steering wheel and do not make any gestures which may show your irritation or frustration with their behaviour.
- Relax behind the wheel. Breathe out slowly, release the tension in your hands, arms and shoulders. Hold the wheel hard again and once more let go and sigh. As you relax, you can begin to think clearly.

- If you are forced to stop stay in the vehicle with the doors locked and engine running ready to drive off. If you are followed drive on carefully to the nearest police station, Council depot or a busy place such as a garage forecourt.

3.16 INCIDENT REPORTING

If you are involved in a traffic collision you must stop, switch off your engine and turn your hazard lights on to alert other road users to your presence.

Your first consideration should be whether the emergency services are needed. If you are able you should provide assistance to anyone else involved so long as it doesn't put you in any danger. Do not move anyone who is injured unless they are in immediate danger.

Your next responsibility is to record full details of the incident and the circumstances leading up to it. You should complete a Notification of Motor Vehicle Incident form as soon after the incident as possible. You can get this form from your line manager. Some of the details you need to provide may only be available at the time of the incident. You should be prepared to collect the following information:

- A rough sketch of the scene of the incident - showing approximate road widths, traffic lights, signs and names of streets and indicate directions of vehicle with arrows.
- Details of other drivers and vehicles involved including insurance company and policy number and damage caused.
- Name and address of anyone injured as a result of the incident and the nature of the injuries
- Name and address of any independent witness(es).
- Name and number of any police officer present.

You should immediately report the incident to the Police if:

- it involves an injury to a member of the public or a Council employee
- it has caused a hazardous situation
- someone leaves the scene without exchanging details
- you suspect the collision was deliberate to make a fraudulent insurance claim

If the Police are involved you must not move any of the vehicles without first getting their approval.

You must not accept liability or discuss the question of blame with anyone at the time of the incident; regardless of the circumstances.

You must report any incidents to your line manager as soon as possible.

If you are involved in a collision you should also inform your own insurance company. If you fail to report an accident to your insurer your personal policy could be invalidated and any future claims rejected.

3.17 ROADSIDE INSPECTIONS

You must report any roadside inspection by VOSA or the Police to your line manager within an hour of it taking place.

APPENDIX A**AUTHORISED REFUELLING POINTS/ CONTACT DETAILS****FALKIRK COUNCIL DEPOTS**

DIESEL	GAS OIL
Dalgrain Depot	Earls Road Depot
Earls Road Depot	Kinneil Kerse
Roughmute Depot	Roughmute Depot

DESIGNATED GARAGES

Fuel should only be drawn from the AIS Garage, Grangemouth, Falkirk

EMERGENCY CONTACT – FLEET SERVICES

Daytime – 01324 590412

Out of Hours – 01324 503050

TYRE CONTRACTOR

Redpath Tyres, 20 South Shore Road, Grangemouth FK3 8UJ (Tel. 0131 334 7387 Opt 2)

DRIVING AT WORK POLICY - DECLARATION

I have read and understand Falkirk Council’s Driving at Work Policy and agree to comply with this Code of Practice. I understand that any breach of these will be viewed seriously and may result in action being taken under the Council’s Disciplinary Policy.

Signature

Print Name

Employee No.

Date



FALKIRK COUNCIL

DRIVING AT WORK POLICY

CODE OF CONDUCT FOR DRIVERS OF NON-COUNCIL VEHICLES



JANUARY 2018

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PART 1**1.1 INTRODUCTION**

We are committed to maintaining a safe and healthy working environment for our employees, service users and other members of the public.

Driving is an everyday activity but we recognise that workplace transport presents risks to employees and others. Risks that have to be effectively managed as with any other work activity. We will ensure that appropriate management systems, procedures and risk assessments are in place to protect employees and others that could be affected by work activities involving workplace transport.

The Driving at Work Policy applies to all employees who drive at work on Council business. It also applies to people like youth leaders or voluntary drivers for Community Groups who drive to support Council activities. This includes driving as a work activity or travelling between locations in the course of your work. This Code of Conduct is intended for anyone who drives Council vehicles.

You should read this Code of Conduct and complete the declaration at page 10 before carrying out any work related driving. This is to confirm you have read and understood the Code. The signed declaration should be returned to your line manager to file in docstore in your personal file.

PART 2**1. GENERAL****1.1 USE OF VEHICLES ON COUNCIL BUSINESS**

Often the simplest means of controlling risk is to avoid it altogether. Meeting with service users and colleagues is a vital part of how the Council does business. So travel is still necessary to support this. But it is still important that travel is planned to make most benefit of your time and those you need to meet. You should also consider the value each person will be adding to the meeting, it may be possible for others to represent your views and provide you with feedback.

Before driving on Council business employees should consider using alternatives. These include:

- Conference calling
- video-conferencing
- walk or cycle to the meeting
- meet at a central location to minimise travel
- public transport

Driving should only be carried out when really necessary and carsharing is recommended wherever it is practical.

1.2 AUTHORISATION TO DRIVE

Before driving your own vehicle on Council business you must complete an “Authorisation to Drive at Work” form and have it approved by your line manager. It is your responsibility to ensure you:

- have a valid driving licence appropriate to the type of vehicle(s) to be driven. More information on driving licence categories is available at <https://www.gov.uk/driving-licence-categories>.
- do not have a medical condition that impacts on your ability to drive at work;
- confirm that your eyesight meets the requirements set out in the Highway Code
- do not have any driving convictions that would prevent you from driving at work

Any vehicle you drive on Council business must also have:

- insurance that is appropriate for business use
- appropriate and valid road tax
- a valid MOT certificate (if the vehicle is more than 3 years old)

It is also advisable that your vehicle has:

- been serviced according to the manufacturer’s recommendations
- emergency breakdown cover that will provide roadside assistance or for the vehicle to be towed if a roadside repair is not possible

You must repeat this process annually.

1.3 HEALTH

You must report anything that could impair your driving abilities immediately to your line manager. This includes any changes in your health, any personal factors or the effects of any medication or intoxicating substance that could affect your ability to drive.

More information on conditions that can affect an individual's suitability for driving can be found <https://www.gov.uk/health-conditions-and-driving>.

You should have a regular eye-sight test to ensure your vision is of a standard appropriate to driving.

1.4 CONVICTIONS

You must immediately report any endorsement on your licence to your line manager. If you accumulate 8 or more penalty points you may not be allowed to continue to drive for work purposes. This will be managed in line with Council policies and could result in you being redeployed to a non-driving role.

If you are disqualified from driving you must not drive any vehicle on Council business until the endorsement has expired.

1.5 RELEVANT LEGISLATION

You must be aware of and be able to apply the rules in The Highway Code. The Highway Code is available at <https://www.gov.uk/guidance/the-highway-code>.

1.6 REST PERIODS

Driving when tired significantly increases the risk of being involved in a collision. Your line manager will provide you with information on how many hours you can drive and the breaks that you need to take. You should organise your work to make sure you are able to take breaks from driving at appropriate intervals.

1.7 ALCOHOL/DRUGS

It can take several hours for the intoxicating effects of alcohol or drugs to subside. You are not allowed to drive if you are under the influence of alcohol or drugs at any time during the working day.

You should seek advice from your GP when being prescribed drugs of any kind on how they may effect your ability to drive.

You must report anything that could impair your driving abilities immediately to your line manager.

If you are found to have been under the influence of an intoxicating substance while at work it will be investigated under the Council's Disciplinary Policy and may be regarded as gross misconduct.

1.8 SMOKING

You are not permitted to smoke in any vehicle being used on Council business. This includes your own.

1.9 IN-VEHICLE TECHNOLOGY

The use of in-vehicle technology, like mobile phones, satnav or audio systems, can distract a driver and increase the risk of accident. Distracted drivers generally underestimate the effects that distraction has on them and don't perceive any reduction in awareness or ability to spot hazards. You must familiarise yourself with the safe use of in-vehicle systems before starting your journey and avoid making adjustments while driving.

It is illegal to use a hand-held mobile phone while driving. If you are stopped by VOSA or the Police and cautioned or charged you must report this to your line manager immediately. You can carry hand-held mobile phones in your vehicle but must be safely parked with the engine switched off before making or receiving a call.

It is not reasonable for your supervisor or line manager to expect you to answer your phone whilst driving.

If suitable hands-free equipment is installed mobile phones may be used. However, using a mobile phone while driving is still a significant distraction even with hands-free equipment. It can increase the likelihood of drivers being involved in a collision. To help keep you and other road users safe you should:

- not make or receive calls, send or read texts or e-mails or otherwise use a mobile phone while driving.
- switch off mobile phones whenever possible while driving and use voicemail facilities
- only be pick up and respond to messages when it is safe to do so
- satisfy normal business needs by checking mobile phones before or after driving or during a break in your journey

Just like mobile phones the use of other equipment like SatNav and entertainment systems can be a significant distraction while driving. You should avoid adjusting or operating any equipment while driving. The SatNav should be set before your journey commences and any adjustments should only be when when safely stopped.

1.10 ROAD CONDITIONS

Weather conditions can cause a range of problems for travel and transport systems. Drive at a speed appropriate to road and traffic conditions. Plan ahead and allow extra time for your journey where necessary. Avoid getting into situations where you are taking risks on the road just to gain a few minutes. You should discuss any concerns regarding driving conditions immediately with your line manager.

1.11 BREACH OF DRIVING AT WORK POLICY

Any breach of the Policy will be investigated and where, appropriate, dealt with in line with the Council's Disciplinary Policy.

2. OCCUPANT SAFETY: GENERAL GUIDANCE

2.1 SEAT BELTS

You must ensure that you and your passengers wear seat belts at all times while driving. There are no exceptions.

2.2 HEAD RESTRAINTS

Head restraints for you and your passengers should be adjusted correctly to help protect against whiplash and prevent long term injuries. The top of the head restraint should be level with top of the head and be as close to the back of the head as possible.

2.3 SAFE VEHICLES

It is your responsibility to ensure that your vehicle is safe and legal. You must check that:

- tyres are undamaged (no cuts or bulges), are at the correct tyre pressure for the number of passengers or equipment being carried and have enough tread depth. The legal minimum is 1.6mm but motoring and safety organisations recommend changing your tyres at 3mm
- there are no signs of vehicle damage;
- oil, coolant and windscreen wash levels are correct;
- brakes are working;
- lights and indicators are working;
- windscreen and windows are not damaged;
- washers and wipers are working;
- mirrors are correctly positioned;
- all occupants are using their seat belts and head restraints correctly; and
- loads are securely restrained.

2.4 TRAFFIC COLLISIONS

If you are involved in a traffic collision you must stop, switch off your engine and turn your hazard lights on to alert other road users to your presence.

Your first consideration should be whether the emergency services are needed. If you are able you should provide assistance to anyone else involved so long as it doesn't put you in any danger. Do not move anyone who is injured unless they are in immediate danger.

You should immediately report the incident to the Police if:

- it involves an injury to a member of the public or a Council employee
- it has caused a hazardous situation
- someone leaves the scene without exchanging details
- you suspect the collision was deliberate to make a fraudulent insurance claim

If the Police are involved you must not move any of the vehicles without first getting their approval.

When you're involved in a collision you're obliged to give your name and address to anyone else involved. You should stop and give your details if you crash into something on or near the road even if there aren't any other people involved. If you hit a parked car, for example, you should leave your details on the windscreen.

You should tell your insurer about the collision as soon as you can. If you don't report it within the time period set out in your policy it may invalidate your cover. You should always inform your car insurance company about a collision even if you don't want to make a claim.

You should try to collect the following information:

- Names, addresses and contact details from any drivers, passengers and witnesses.
- Insurance details for the other drivers. If they are not the registered keeper of their vehicle find out who is and make a note of their name and address.
- The registration numbers of all vehicles involved, plus a note of each vehicle's colour, make and model.
- The time and date of the collision.
- A sketch showing the positions of the vehicles involved
- A description of the weather conditions, plus anything unusual you notice about the road quality or lighting.
- A list of damage to vehicles and a description of any injuries sustained by pedestrians, drivers and passengers.

You may find it useful to take photos of the car accident for use as evidence.

You shouldn't accept liability or discuss the question of blame with anyone at the time of the incident; regardless of the circumstances. It could count against you later on.

You must report any incidents to your line manager as soon as possible.

2.5 AGGRESSIVE DRIVING

Aggressive driving behaviour can take many forms like speeding, driving too close to the car in front or improper lane changing or weaving; the list is long. Most people drive aggressively from time to time through impatience, annoyance or even in an attempt to save time. Many drivers are not even aware when they are doing it. Aggressive driving, regardless of its motivation, can increase the risk of collision. You should:

- plan ahead and allow plenty of time for your journey. Avoid getting into a situation where you are racing to to gain a few minutes and taking risks on the road
- try to avoid driving when you are feeling stressful, emotional or angry or if you feel unwell or distracted for any reason
- be courteous to other drivers and avoid actions likely to provoke. Make sure that your driving does not upset others. Set a good example by respecting other road users. Recognise your own aggressive driving behaviour and correct it.
- be polite and courteous even when other drivers behave unreasonably. Do not react to other drivers who are challenging you or may be looking for conflict. Pull over and let them pass. Do not engage in eye contact. Keep your hands on the steering wheel and do not make any gestures which may show your irritation or frustration with their behaviour.
- Relax behind the wheel. Breathe out slowly, release the tension in your hands, arms and shoulders. Hold the wheel hard again and once more let go and sigh. As you relax, you can begin to think clearly.

- If you are forced to stop stay in the vehicle with the doors locked and engine running ready to drive off. If you are followed drive on carefully to the nearest police station, Council depot or a busy place such as a garage forecourt.

2.6 BREAKDOWNS

Breaking down can be dangerous particularly if you're on a motorway. Here's what you need to do to stay safe:

- Make sure you're in a safe place. Move your vehicle off the road if possible (watch out for any soft verges), or pull up onto the hard shoulder if you're on a motorway and can't turn off at the next exit. Make sure you stop as far to the left as you can, with the wheels turned to the left.
- Put your hazard warning lights on. If it's dark or foggy, keep your sidelights on too.
- Stay well away from moving traffic. It's usually safest to get out of your car (using the doors facing away from passing traffic) and wait behind a barrier. If you're on a motorway, move up the bank if you can.
- Wear a reflective jacket if you have one.
- If you're on a road and it's safe, you can put a warning triangle at least 45m behind your vehicle. If you're on a motorway don't put a warning triangle on the hard shoulder. It's not safe.
- Telephone the emergency services, or breakdown organisation. Give them accurate details of your location and whether children or passengers with mobility problems are being carried
- On a motorway walk to an emergency phone on your side of the carriageway. Follow the arrows on the posts at the back of the hard shoulder – the phone is free and connects directly to the Police. This will enable the Police to pinpoint your location.

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Signature

Print Name

Employee No.

Date



FALKIRK COUNCIL

**GAS SAFETY
MANAGEMENT
POLICY**



July 2017

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PART 1 POLICY STATEMENT

1.1 POLICY STATEMENT

Falkirk Council is committed to maintaining the health and safety of employees and members of the public. The Council recognises the potential risks associated with gas in Council premises and in Council housing stock. Potential risks associated with gas are significant, given the risk of fire/explosion or from incomplete combustion arising out of poor or irregular maintenance of gas systems. The Council will take all reasonable steps to ensure that appropriate management systems are in place to minimise the risk of employees and/or members of the public being put at risk from the effects of gas or carbon monoxide.

Corporate & Housing Services and Development Services will submit, on an annual basis, a Statement of Assurance to the Corporate Risk Management Group (CRMG) confirming compliance with the processes and procedures detailed within this policy.

PART 2 POLICY

2.1 INTRODUCTION

This Policy has been developed to ensure that Falkirk Council management systems, processes and procedures in relation to the management of gas safety take account of relevant Health and Safety Legislation.

2.2 SCOPE

This Policy applies to all Falkirk Council properties, workplaces, housing stock, vacant properties available for commercial letting, the common parts of multi-occupancy properties in which the Council, as commercial landlord retains maintenance responsibility and all relevant work undertaken in these properties on the Council's behalf.

This Policy applies to Council employees, contractors and consultants undertaking work on the Council's behalf and anyone likely to be put at risk as a result of work on these properties. It complements the Health and Safety Policy, the Risk Management by Risk Assessment Policy and the Accident/Incident Reporting Policy.

2.3 DUTIES UNDER THE LEGISLATION

The Gas Safety (Installation and Use) regulations 1998 specify duties as follows:

**Duties of
employers and
self-employed
persons
(Regulation 35):**

"It shall be the duty of every employer or self-employed person to ensure that any gas appliance, installation pipework or flue installed at any place of work under his control is maintained in a safe condition so as to prevent risk of injury to any person".

**Duties of
Landlords**

"The landlord shall ensure that safety checks be carried out within 12 months of new appliance installed or the previous gas safety check carried

(Regulation 36):

out. This will apply to all gas appliances and pipework that the Landlord has installed, or have had installed on their behalf. This includes;

- *Appliances (other than an appliance the tenant is entitled to remove)*
- *Pipework*
- *Gas flues*

The Landlord shall ensure that any gas works are only carried out by, or by an employee of, a member of a class of persons approved for the time being by the Health and Safety Executive for the purposes e.g. Gas Safety Registered. Records shall be kept for all work undertaken with records kept of:

- *appliance tested*
- *location*
- *defects identified and remedial action undertaken.”*

Qualification and Supervision (Regulation 3)

No employer shall allow any of its employees to carry out any work in relation to a gas fitting or service pipework and no self-employed person shall carry out any such work, unless the employer or self-employed person as the case may be, is a member of a class of persons approved for the time being by the Health and Safety Executive for the purpose of this paragraph

The Gas Safety (Installation and Use) regulations 1998 define a landlord as:

"The owner of an interest in land, or property, who in consideration of a rent or other payment (e.g. a premium) grants the right to exclusive possession of the whole or part of their land to another person, or for another person, for a specific or determinable period by way of a lease or tenancy".

Falkirk Council therefore has responsibilities under the legislation as both an employer and as a landlord.

PART 3 PROCEDURES

- 3.1 The procedure outlined defines the standard to be adopted by Falkirk Council in the management of gas safety. Services with responsibility for gas maintenance will nominate a senior officer to take responsibility for the development and review of their own management systems and ensure that the standards specified in these corporate procedures are complied with. The Council, through the Corporate Management Team (CMT) and the CRMG, will ensure all systems and procedures relating to gas safety management are regularly reviewed within relevant Services.

The Health and Safety Executive (HSE) closely monitor standards of management practice in gas operations and all persons working on gas appliances. All those involved as gas installers or gas engineers must be registered with Gas Safe Register which is the gas installer registration scheme approved by the HSE. The role of Gas Safe is to:

- Raise public awareness of gas safety and the gas register
- Manage inspection and enforcement

- Provide technical support and standards updates to registered engineers
- Provide facilities for checking a gas engineer or a business are registered with Gas Safe Register.

3.2 GAS SAFETY MANAGEMENT SYSTEMS

In defining gas safety management systems, other areas of legislation will be met e.g. the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) together with the Health and Safety at Work Act 1974 and other regulations made under this act. Management systems should also meet the requirements of "*Successful Health and Safety Management*" HS(G)65.

The Construction (Design and Management) Regulations 2015 (As Amended) define how major construction work should be managed. There are specific duties that require to be met when undertaking construction work and therefore detailed procedures should be developed and in place within Development Services and Corporate and Housing Services. The procedures are as follows:

3.2.1 Contractor/Consultant Selection and Verification Procedure

A detailed assessment of the competence of a contractor/consultant must be carried out in advance of any work being undertaken for the Council that involves working with gas systems/appliances/equipment or involves routine servicing/maintenance arrangements:

- All contractors and employees carrying out work on gas systems/appliances/equipment will be required to be a current member and/or a class of person approved by the HSE and will notify Falkirk Council of any new employees to be working on the contract i.e. Falkirk Council will ensure at all times that all employees are registered with the Gas Safe Register or the appropriate Licensing Body;
- All qualified design engineers/ consultants involved in building design which includes gas heating etc will have been verified by a design architect and selected based on a robust procedure detailing the project specification, competency verification and references. A process as defined by the Association of Consultant Engineers (ACE) or a similar standard should be used to provide the basis for such appointments;
- The contractor and qualified design engineers/ consultants must supply referees relating to similar contract work and these referees must be contacted by the Council to confirm that the contractor and qualified design engineers/ consultants met the standards and criteria required by the referee;
- All contractors will be required to demonstrate that all of their employees are registered for working with the equipment/appliances as specified in the contract. This will include provision of colour copies of training certificates and current Gas Safe Register ID Cards or the appropriate Licensing Body;
- Where a Gas Framework Agreement is established for gas works/equipment all those contractors/ suppliers will require to be verified as complying with all gas

safety standards and legislative requirements for equipment and their employee competence standards. Prior to the appointment for individual contracts, a verification of all safety requirements and equipment standards pertinent to the contract will be undertaken on the contractor/ supplier chosen.

- All managers responsible for overseeing gas contracts will verify the continuation of registration of the Gas Safe Register by routinely checking returned certificates. An annual re-registration of contractors membership is undertaken by Gas Safe Register normally on 1st April each year and registration can be verified by checking with the Gas Safe Register;
- The contractor must have detailed and clear procedures including arrangements for dealing with unsafe practice/procedures and for the reporting of RIDDOR incidents, including reporting to Falkirk Council all dangerous gas fittings;
- The Contractor must have a Quality Control Inspection procedure defining percentage of works checked and will provide regular reports on performance to the client.

3.1.2 Construction/refurbishment specifications

The Service appointing a qualified design engineer/consultant will have a procedure available to ensure the competency in the specific project and in the development of appropriate specifications for all works that involve the installation of new gas systems, plant and appliances and or modifications to such systems. The design engineer/consultant will be able to demonstrate competence in the type of system to be designed/ modified.

3.1.3 Servicing and maintenance of gas systems/appliances

Services with a responsibility for property maintenance will ensure that a procedure is developed to ensure current legislation; manufacturer's recommendations and industry best practice are addressed by giving consideration to:

- Competency of Contractor and the contractor's workforce;
- Specification of components used in this equipment;
- Frequency of servicing/ safety checks;
- Breakdown procedures;
- RIDDOR reporting;
- Record keeping systems;
- Quality assurance procedures.

3.1.4 Quality Control Procedures

Falkirk Council will ensure that all contractors employed to undertake work on gas appliances/systems deliver a service that is both efficient and effective by applying a quality control procedure.

All work carried out on gas systems and appliances undertaken by both internal and external contractors will be subject to a formal audit on standards of workmanship to ensure the specification of the tender document is being met. This should be undertaken

by a Service based person suitably qualified for the appliances under the contract. This will include:

- contractor's quality control measures;
- use of independent quality control measures;
- Service's internal quality control measures.

A minimum of 5% of quality control checks on contract work will be undertaken. This will be increased where the Council has concerns regarding the performance/quality of work being delivered. Records should be kept for 2 years beyond the initial design/ service of equipment.

The purpose of the Quality Control (QC) procedure adopted is to ensure the continued satisfactory performance of all persons working on gas appliances/ equipment or systems. The procedures demonstrate to any auditor that the competency of each engineer has been assured and that the work undertaken in the contract by the engineer meets the contractor's or client's specification requirements. The Service will define the appropriate process to be adopted to ensure a suitable standard of assurance is achieved by an appropriate mix of internal QC checks carried out by the contractor and by the Client/ Designer Architect. If necessary, an external contractor can be used to carry out these quality assurance checks.

The following criteria must be met:

- All Quality Control Inspectors appointed must be registered with Gas Safe Register, have appropriate qualifications for working on the plant and equipment involved and be able to demonstrate a wide range of experience of working in the gas industry;
- Current ongoing work and an agreed sample of work previously undertaken is to be audited by the Council's own employees to ensure standards are met as per legislation regulations and the Policy for Gas Safety Management;
- The Quality Control procedure must be able to demonstrate to any auditor that the competency of work undertaken by each engineer has been assured.
Regular feedback to gas contractors on performance on Quality Control checks should be maintained and recorded.

If a decision has been taken to appoint a new contractor, an increased level of quality control checks should be carried out. If the contractor is unable to demonstrate competency then an increased period of quality control should be introduced along with regular liaison meetings to ensure they meet the required standard.

3.1.6 Documentation Control

Development Services and Corporate & Housing Services will have in place a procedure to manage and control all records connected with gas contracts, e.g. maintenance, safety inspections and servicing. This system should be able to provide accurate and immediate access for auditing purposes.

As required by legislation, records for the Gas Safety Check of gas appliances shall be kept for a minimum of 2 years.

All Services with the responsibility for the management of properties are required to develop and regularly review a Health and Safety File as defined under The Construction (Design and Management) Regulations 2015 (As Amended) for each property. Information on the maintenance of utilities, equipment and facilities for each Premise is to be collated and stored in this file. Each Service will develop a procedure determining how this information will be stored. It is however, recommended that information relating to maintenance of equipment e.g. service records, are kept for the life of the equipment (where reasonably practicable). For Council workplaces an electronic copy of this will be provided to Premises Managers by Development Services for inclusion in the Premises Managers Handbook, Local Authority housing properties, a copy will be provided by the Property & Asset Manager to the tenant with a copy held by the Local Area office in the property folders.

3.1.7 Emergency Procedures

Emergency procedures for reporting of gas leaks for all premises will be made available to Falkirk Council employees and leaseholders occupying a property. These procedures will be based on the risk assessment for such eventualities and will cover gas safety management, gas escape, type of appliance/s, release of fumes and unsafe condition of plant, equipment or appliances. The Premises Managers Handbook, Section 8 contains the basic information on how to develop local procedures.

3.1.8 Reporting of Dangerous Occurrences

There is a clearly defined list of circumstances where a failure in the gas management system becomes a notifiable incident under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995. As part of the emergency response procedures, all services are required to identify the action to be taken. The Health and Safety Executive (HSE) must be notified and in such cases they often investigate proceedings. Any interference with an incident scene following a notifiable occurrence may be construed as breach of RIDDOR and consequently may lead to prosecution. The current “*Unsafe situation’s procedure*” will be used to provide the basis for the reporting and recording of such incidents.

A gas engineer registered with the Gas Safe Register must provide details of any gas appliances or fittings that they consider to be dangerous, because the design, construction, installation, modification or servicing could result in:

- an accidental leakage of gas;
- inadequate combustion of gas or;
- inadequate removal of products of the combustion of gas.

Where there is an incident involving a “Dangerous gas fitting” resulting from a serious fault in the design or construction of a gas fitting or in the way the initial installation was carried out or was later serviced / modified, a report shall be made to the HSE ensuring that an [F2508G2 Report of a Dangerous Gas Fitting](https://extranet.hse.gov.uk/lfservlet/external/F2508G2E) <https://extranet.hse.gov.uk/lfservlet/external/F2508G2E> is completed and notified to HSE within approved timescales.

3.2 RISK CONTROL

Development and Corporate & Housing Services will identify as part of their Risk Assessments, key procedures to be applied in support of Gas Safety Management. These may include:

3.2.1 Void Management

Where a lease on a property is terminated or abandoned the gas supply will be temporarily capped off and any bayonet type fitting removed and made safe. The system will be checked prior to re-letting.

3.2.2 Gas pipe checks (Tightness testing)

It is a requirement of the Gas Safety (Installation and use) Regulations 1998 to “ensure that any gas appliance, installation pipework or flue installed at any place of work under the Landlord’s control is maintained in a safe condition so as to prevent injury to any person”. It is recommended that a system of periodic inspection of all gas pipework and fittings and a pressure test be carried out and the results will be recorded. The frequency of inspection/ test will be determined following appropriate risk assessment by a competent person. Records of shall be kept for 2 years.

3.2.3 Competence of Tradesmen/management of contracts

Gas Engineers/Technicians

All engineers will be required to hold current certificates demonstrating competence and confirming that they are qualified to undertake the work specified. Development Services and Corporate & Housing Services will have a procedure that will identify a suitable method for checking this either at the commencement of contracts or checking at a suitable frequency. Engineers/Technicians will be required to carry the Gas Safe Register ID Card and be able to produce it on demand for anyone to check.

Management of Contracts

All persons who are required to supervise gas engineers or gas contracts or distribute the gas certificates will have a working knowledge of core elements of current Gas Safety (Installation & Use) Regulations and the Gas Safe Register ID Card.

3.2.4 Method Statement and Risk Assessments

Development and Corporate & Housing Services will develop comprehensive Gas Safety Management risk assessments for areas of work within their direct control. All contractors will be required to produce comprehensive Risk Assessments and Method Statements relevant to the work they will be carrying out.

PART 4 ROLES AND RESPONSIBILITIES

4.1 THE CHIEF EXECUTIVE, DIRECTORS AND HEADS OF SERVICE

The Chief Executive and Chief Officers of the Council are responsible for the effective operation of the Policy across the Council as a whole and for ensuring effective procedures are developed and implemented within their Service. They are also responsible for ensuring that the management of their properties is clearly defined. They will ensure that adequate resources are made available to implement appropriate procedures, train key personnel, and to ensure appropriate emergency procedures are drawn up as defined in this Framework for Gas Safety Management.

4.2 DIRECTOR OF DEVELOPMENT SERVICES

The Director of Development Services will be responsible for ensuring the regular review of Gas Safety Management Procedures within the Service. These procedures must be in line with this Gas Safety Management Policy. A Statement of Assurance will be provided to Corporate Risk Management Group annually to provide evidence that all the gas management procedures are in place, performance has been monitored and that the gas safety management systems are working effectively.

4.2.1 Head of Design Roads & Transport

The Head of Design Roads & Transport will ensure that in the design of new buildings and major refurbishment projects, the specification of new gas heating systems, the appointment of competent gas contractors or any work on gas appliances/systems in any council workplaces/housing stock meet the legislative standards. All works undertaken on gas appliances/systems will meet these minimum standards. No work will be accepted as being complete until a relevant gas safety certificate has been checked and signed off by an employee of Development Services who is competent to carry out such validity checks. All contractors and consultants will undergo a robust selection and verification process as defined in this document. The Head of Design, Roads & Transport will ensure that all gas maintenance procedures for workplaces, contract management, training and monitoring programmes are reviewed regularly.

4.2.2 Facilities Management

As per Regulation 35 of the Gas Safety Regulations 1998, the Head of Design Roads & Transport is responsible for ensuring that all gas appliances in workplaces meet the statutory legal duties.

4.2.3 Building Design

Head of Design Roads & Transport is responsible for ensuring all new buildings or major refurbishments comply with the Gas Safety (Installation and Use) Regulations 1998 and appropriate HSE Guidance. This applies to both Regulation 36 for Domestic appliances and Regulation 35 during the construction or major refurbishment of Falkirk Council projects.

4.2.4 Head of Planning & Economic Development

The Head of Planning & Economic Development will develop and maintain procedures for the monitoring and management of gas systems in commercial vacant properties, which will be in line with this Gas Safety Management Policy and ensure that all gas systems are safe and up to date safety checks are carried out on gas pipes and equipment prior to handover to new tenants. A property database, detailing properties in which gas is supplied will be developed and a monitoring programme implemented. The Head of Planning & Economic Development is responsible for ensuring that all new tenants of commercially leased properties are aware of their duties with respect to compliance with the health & safety regulations. The Head of Planning & Economic Development will ensure that leases cover all responsibilities relating to gas management in terms of both the leaseholder and the Council, as landlord.

Regulation 36 of the Gas Safety (Installation & Use) Regulations 1998, does not apply to commercially let premises. However, on behalf of Falkirk Council as landlord, The Head of Planning & Economic Development has a statutory responsibility under Health & Safety regulations to ensure that all gas appliances within vacant properties are in safe working order prior to leasing properties.

There are various types of property lease which are dependent on property type. In respect of commercial premises, Falkirk Council, as landlord, transfers its statutory duties of repair and maintenance obligations to the tenant via the Full Repairing and Insuring lease (FRI). The Head of Planning & Economic Development is therefore responsible for ensuring that the tenant is made aware of their gas safety management responsibilities contained within the lease agreement.

Services that lease premises from a non-council Landlord may, depending on the conditions of their lease, be responsible for undertaking checks on fire alarms, electrical and gas installations. The Head of Planning & Economic Development is responsible for ensuring that Services are aware that these installations should be checked with Development Services, Building Design, Facilities Section prior to signing the lease.

4.3 DIRECTOR OF CORPORATE & HOUSING SERVICES

The Director of Corporate & Housing Services will be responsible for ensuring the regular review of Gas Safety Management Procedures. These procedures must be in line with this Gas Safety Management Policy. A Statement of Assurance will be provided to Corporate Risk Management Group annually to provide evidence that all the gas management procedures are in place, performance has been monitored and that the gas safety management systems are working effectively (Appendix 1 and 3).

4.3.1 Head of Procurement & Housing Property

As per Regulation 36 of the Gas Safety (Installation & Use) Regulations 1998, which applies only to domestic properties, the Head of Procurement & Housing Property is responsible for ensuring that all gas appliances in Council housing stock meet the statutory legal duties.

The Head of Procurement & Housing Property will ensure that management arrangements for gas safety certificates are robust and procedures for gaining entry to council houses for gas servicing and maintenance work is kept under regular review.

The Housing Division is responsible for the management of Falkirk Council housing and the administration of transfer of lets, and will assist the Head of Procurement & Housing Property fulfil their responsibilities. This will be accomplished by coordinating with the gas safety checks to ensure the isolation of gas to premises where necessary and for ensuring the administration of safety certificates with new tenants. Where necessary they will support the access to council houses where the gas contractors have failed to gain access.

The Procurement Division is responsible for the provision of gas contracts and the management of overseeing gas performance and quality control procedures.

Within this team there is a gas maintenance section which has responsibility for the annual gas safety maintenance of all gas appliances that Falkirk Council supply for the use of their tenants. The Head of Procurement & Housing Property will ensure the ongoing competency of all employees and ensure procedures and equipment used conforms to best practice guidance. Internal quality control procedures will ensure that all safety certificates are completed properly and random checks of performance are carried out.

The Head of Procurement & Housing Property will ensure that the procedure for gas management is regularly monitored. This will include procedures for appointment of gas contracts, gas maintenance arrangements and the maintenance of quality control systems. The gas maintenance carried out by Falkirk Council employees will be robustly managed to ensure the competency of all gas engineers and that quality control procedures regularly check the quality of the work undertaken.

4.3.2 Head of Human Resources & Business Transformation

The Head of Human Resources & Business Transformation will ensure that audits of the standards and procedures within this Policy are implemented and that the Statements of Assurance (Appendix 1 and 3) are provided to the Corporate Risk Management Group (CRMG) annually. If, at any future date, there are any concerns regarding performance in relation to gas safety management or there is reason to consider a problem with any gas systems an audit will be undertaken by the Health, Safety & Care Team and/or Internal Audit Team to monitor performance of the Council's Gas Management Systems. Findings will be reported to the CRMG.

4.4 PREMISES MANAGERS OF COUNCIL WORKPLACES

Managers who have a responsibility for the co-ordination of day to day management and maintenance of workplace premises must have suitable procedures in place for gas safety management, and for gas emergencies including evacuation as defined in the Premises Managers Handbook Section 8. Section 8 of the Premises Managers Handbook also provides information on the requirement to have a management system in place for Critical Plant & Equipment including an inventory of and on the requirement to maintain records of gas safety certificates.

PART 5 MONITORING & REVIEW

5.1 MONITORING & REVIEW

The Head of Human Resources & Business Transformation will review this policy as per the agreed Human Resources Policy Review Timetable in conjunction with Chief Officers and Trade Unions taking into consideration legislative amendments and best practice advice.

This Policy has been Equality Impact Assessed and no adverse impact has been identified.

GAS SAFETY MANAGEMENT
ANNUAL STATEMENT OF ASSURANCE
DEVELOPMENT SERVICES

This Statement of Assurance is to be completed by the Director of Development Services and submitted to the HR Manager who will submit a report of all Gas Safety Management Statements of Assurance to the Corporate Risk Management Group(CRMG) in May/June of each year.

I can confirm the following in respect of Gas Safety Management systems for non- domestic properties and Capital works on Housing properties:

- All gas contracts have been subject to Tender as required under Standing Orders
- All contractors and consultants have undergone a robust selection and verification process as required under Standing Orders
- All gas contractors have been reviewed and deemed to deliver satisfactory performance in terms of:
 - Quality of work undertaken
 - Compliance with contract timescales
 - Quality of gas safety certificates
- Appropriate quality assurance checks are undertaken
- Gas safety certificates for Housing properties are passed to Corporate & Housing Services.

EVIDENCE OF AUDIT

Information will be provided showing the areas audited to confirm standards are being maintained e.g. Performance data, % targets achieved, notices served to contractors etc.

REMEDIAL/IMPROVEMENT ACTIONS

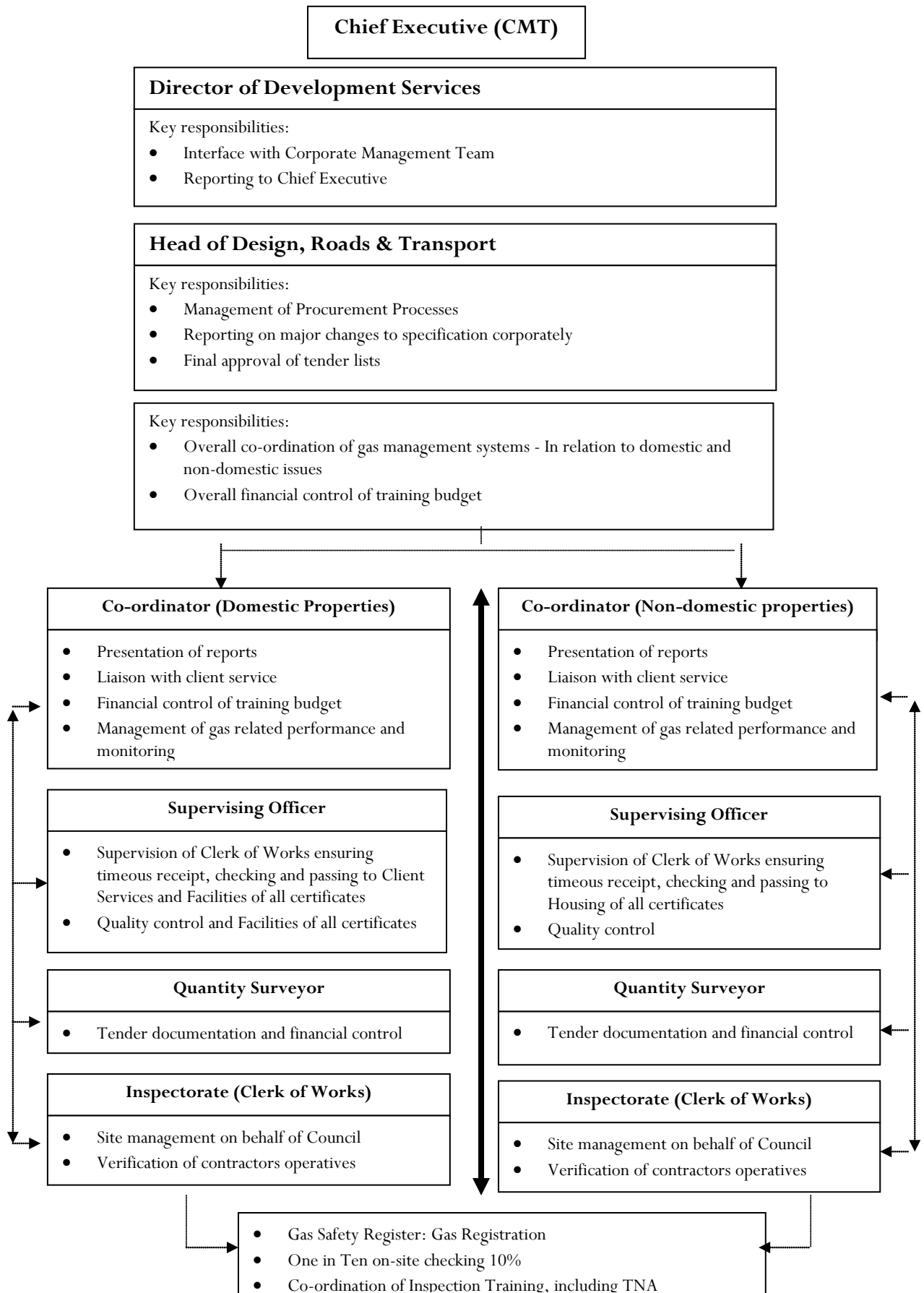
Where appropriate, please detail any remedial/improvement action to be taken.

ACTION	WHO	WHEN

Signed:..... Date.....

DIRECTOR OF DEVELOPMENT SERVICES

Property Portfolio Management Chart – New Installations & Alterations Existing Units



GAS SAFETY MANAGEMENT

ANNUAL STATEMENT OF ASSURANCE – 2017

CORPORATE & HOUSING SERVICES

This Statement of Assurance is to be completed by the Director of Corporate & Housing Services and submitted to the HR Manager who will submit a report of all Gas Safety Management Statements of Assurance to the Corporate Risk Management Group (CRMG) in May/June of each year.

I can confirm the following in respect of Gas Safety Management systems for Housing properties:

- All gas contracts have been subject to Tender as required under Standing Orders
- All contractors and consultants have undergone a robust selection and verification process as required under Standing Orders
- All gas contractors have been reviewed and deemed to deliver satisfactory performance in terms of:
 - Quality of work undertaken
 - Compliance with contract timescales
 - Quality of gas safety certificates
- Appropriate quality assurance checks are undertaken
- Gas safety certificates are available in relevant Local Housing Offices
- Reports are issued monthly on performance, copied to Health Safety & Care Team for review

REMEDIAL/IMPROVEMENT ACTIONS

Where appropriate, please detail any remedial/improvement action to be taken.

ACTION	WHO	WHEN

Signed:..... Date:.....

DIRECTOR OF CORPORATE & HOUSING SERVICES

ADVICE ON HOW TO MANAGE A SUSPECTED GAS LEAK

PROCEDURE:

1. REPORT OF SMELL OF GAS IN A BUILDING:

1. SENIOR PERSON/BUILDING MANAGER TO BE ADVISED IMMEDIATELY.
2. THE SENIOR PERSON/BUILDING MANAGER SHOULD KNOW:
 - IF GAS SERVICES ARE IN THE BUILDING;
 - WHERE APPLIANCES ARE LOCATED;
 - HOW TO SHUT OFF THE SUPPLY AT THE GAS AT THE METER / ISOLATION VALVE.
3. IF IT IS NOT POSSIBLE TO SHUT THE SUPPLY OFF OR THERE IS STILL A STRONG SMELL OF GAS IN THE BUILDING AFTER ISOLATION THEN THE EVACUATION PLAN FOR THE BUILDING SHOULD BE IMPLEMENTED.

2. TO MAKE AREA SAFE PENDING INVESTIGATION BY SGN:

- TURN OFF GAS SUPPLY AT THE METER (unless it is in a cellar);
- DO NOT SMOKE OR LIGHT A NAKED FLAME, (cigarette, lighter etc);
- OPEN ALL WINDOWS.
- PHONE NATIONAL GAS EMERGENCY **0800 111 999**
- PHONE PROPERTY REPAIRS SERVICE ON **01324 503040** (24 HOUR NO.)
- LOG THESE CALLS

3. IF EVACUATION PROCEDURE IS IMPLEMENTED:

- **DO NOT** USE THE FIRE ALARM TO EVACUATE THE BUILDING
- **DO NOT** TOUCH ANY ELECTRICAL SWITCHES
- **ENSURE THERE ARE NO NAKED FLAMES** IN USE
- **SWITCH OFF** MOBILE PHONES & DO NOT SWITCH ON AGAIN UNTIL YOU ARE CLEAR OF THE BUILDING & IMMEDIATE AREA
- **DO NOT RETURN TO THE BUILDING UNTIL GIVEN THE ALL CLEAR BY SGN.**



FALKIRK COUNCIL

TIME OFF FOR TRADE UNION DUTIES & ACTIVITIES POLICY



March 2018

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PART 1

1.1 POLICY STATEMENT

A Collective Agreement is in place between Falkirk Council and the following recognised trade unions of Falkirk Council, namely: EIS, GMB, SSTA, , UNISON and UNITE. The intention of the agreement is to ensure that appropriate levels of special leave are provided to representatives of the unions in order for them to carry out trade union duties & activities.

The Time Off for Trade Union Duties and Activities Policy implements the agreement in full and applies to all employees of Falkirk Council. Its main aim is to promote fairness, equity and order in the treatment of individuals and in the conduct of employee relations.

The policy confirms Falkirk Council's commitment to encouraging participation, through effective consultation and communication and the sharing of decision making. This includes consulting and negotiating with recognised trade unions on a wide range of issues. For this to be productive, it is recognised that reasonable time off facilities for union duties, activities, health & safety, learning representative responsibilities and appropriate training should be available to trade union representatives.

PART 2 POLICY

2.1 INTRODUCTION

.Employers and trade unions have a joint responsibility to ensure that agreed arrangements specify how reasonable time off for union duties, activities, learning representative and health & safety representative responsibilities and appropriate training, can operate to their mutual advantage. Given the variations in the roles of trade union representatives, the size of services and level of membership, the policy cannot provide precise details to deal with every request for time off. It does however provide specific leave allocation for one representative from each recognised trade union. In addition, the general principles on how to determine the reasonableness of a request for time off for trade union representatives and members are given.

While not specifically covered within the policy, requests for time-off to participate in activities at a national level will be considered in consultation with the Head of Human Resources and Business Transformation.

2.2 SCOPE

Representatives of trade unions recognised by Falkirk Council should be permitted reasonable time off during working hours to carry out certain trade union duties and activities. There is no minimum qualifying period of service.

Representatives are employees who have been elected or appointed to represent all or some of the trade union members within Falkirk Council. This includes branch officers, shop stewards and health & safety representatives. Nominated learning representatives of recognised unions are also covered by this document..

A trade union is only “recognised” where it is recognised for the purposes of collective bargaining. The unions currently recognised by Falkirk Council for the purposes of collective bargaining on behalf of all employees of Falkirk Council are: EIS, GMB, SSTA, UNISON and UNITE.

Representatives of trade unions that are not recognised for collective bargaining purposes are entitled to reasonable time off to attend disciplinary or grievance meetings, so long as their union has certified them as being capable of acting as the employee’s companion.

2.3 DUTIES & ACTIVITIES

2.3.1 Time Off for Trade Union Duties and Activities

Trade union **duties** are issues which relate directly to the organisation and/or its employees, while trade union **activities** are issues which relate directly to internal trade union work. It is noted however that the dividing line between trade union duties and trade union activities may often not be absolutely clear cut. In appreciation of this difficulty, subject to recognition, representatives should be allowed reasonable paid time off for undertaking trade union duties concerned with negotiation, or duties concerned with functions related to or concerned with:

- terms & conditions of employment or the physical conditions in which employees are required to work;
- engagement or non-engagement or termination or suspension of employment or the duties of employment, of one or more employee;
- allocation of work or the duties of employment as between employees or groups of employees;
- matters of discipline, grievance and employment tribunals;
- trade union membership or non-membership;
- facilities for trade union representatives;
- machinery for negotiations or consultation and other procedures;
- arranging workplace meetings and ballots to discuss the outcome of negotiations with the employer;
- carrying out the role of a trade union learning representative;

- carrying out the role of a health and safety representative.

In addition, subject to recognition, representatives should be allowed reasonable paid time off for undertaking trade union activities which have an impact on employees of Falkirk Council. Time off will only be paid where it is confirmed that no reimbursement for loss of earnings will be made by the relevant trade union for the time. Examples of such activities may include:

- attendance at a workplace meeting to discuss and vote on the outcome of negotiations with the employer;
- voting on properly conducted ballots on industrial action;
- Branch or District meetings of the trade union convened during normal working hours where issues relevant to Falkirk Council are under discussion, in addition to Union business;
- recruitment of members who are Falkirk Council employees;
- internal union work where work undertaken has an impact on Falkirk Council employees;
- meetings of the Trade Union's executive committee or annual conference where issues being discussed are relevant to Falkirk Council.

For any activities which relate solely to internal trade union matters, and have no impact on Falkirk Council employees, unpaid time off, (rather than annual leave), may be considered appropriate. This particularly relates to occasions when reimbursement for loss of earnings is made to representatives by trade unions to attend meetings such as Branch or District meetings.

2.3.2 Trade Union Training

Trade union representatives, including learning representatives, are more likely to carry out their duties effectively if they possess skills and knowledge relevant to their duties.

All new trade union representatives will be entitled to be paid for a maximum of 10 days in order to undergo approved induction training, regardless of the number of hours worked per week. Reasonable paid time off to undergo relevant training should therefore be considered. Payment arrangements are detailed in Section 2.5.

Training should be in aspects of industrial relations, health & safety, or employee development. It must be relevant to the duties of the representative, and be matters which are relevant to the list of trade union duties outlined above.

Any training should be approved by the TUC or the recognised union and, where available, a syllabus indicating the contents of the course should be submitted with the request for this time off.

2.3.3 Health & Safety Representatives

Health & safety representatives of a recognised trade union are entitled to appropriate paid time off to carry out health & safety functions and duties and to attend relevant training courses.

Health & safety representatives would be expected to attend meetings scheduled to discuss and negotiate issues relating to the health & safety of workplaces and employees. Reasonable paid time off should be granted to attend these meetings.

Health & safety representatives have the right to accompany managers on health & safety audits or inspections as required by legislation. These inspections may be:

1. on a routine basis every three months; or
2. where there has been a significant change in conditions of work; or
3. following a notifiable accident, dangerous occurrence or notification of a notifiable disease.

A proposed annual programme of routine inspections may be prepared by the relevant health & safety representatives for a particular area for agreement with the relevant service unit manager.

While it is good practice that inspections are carried out on a joint basis, it is recognised that situations may arise in relation to 2 and 3 above where a health & safety representative may want to undertake immediate inspection. In such circumstances the representative will inform the relevant manager to allow for a joint inspection to be undertaken, but it is recognised that there are times when a manager may not be available and it may be necessary for an inspection to proceed without a management representative being present.

Managers will ensure that health & safety representatives are advised of a notifiable accident, dangerous occurrence or notifiable disease as soon as possible.

2.3.4 Union Learning Representatives

A learning representative is a nominated representative who focuses on the learning agenda in the workplace. Typically, they will give advice and guidance to members and answer queries about courses or learning opportunities in the Council.

Learning representatives are allowed reasonable paid time off for the following functions:

- analysing learning or training needs;

- providing information and advice about learning or training matters;
- arranging learning or training;
- promoting the value of learning or training;
- consulting the employer about carrying out any such activities;
- preparation to carry out any of the above activities;
- undergoing relevant training (in accordance with 2.3.2 above).

Given that in many cases within Falkirk Council there are established training and development programmes for employees, learning representatives should liaise with the Organisational Development Section of Human Resources, or the relevant line manager, to ensure that respective training activities complement each other and to avoid duplication.

To qualify for time off, the representative must be sufficiently trained to carry out the duties of a learning representative, either:

- at the time when their trade union gives notice to the Council in writing that they are a learning representative, or,
- within six months of that date.

In the former case the trade union should, in their notification, advise what training/ experience the individual has which means they are able to fulfil the role of learning representative.

In the latter case the trade union should notify the Head of Human Resources and Business Transformation in writing that the employee will be undergoing the required training and what this training will be. When training has been successfully completed, the union should confirm this to the Head of Human Resources and Business Transformation. Confirmation should also be given that this training is sufficient to enable the individual to fulfil the role of learning representative. The six month training period may be extended to take account of any significant unforeseen circumstances. If training is not completed within the agreed timescales then the Head of Human Resources and Business Transformation will agree with the trade union whether it is appropriate for the employee concerned to continue as a learning representative.

To satisfy the training requirement an employee must be able to demonstrate that they have received sufficient training to enable them to operate competently in one or more of the areas of activity of a learning representative, ie:

- analysing learning or training needs;
- providing information and advice about learning or training matter;
- arranging and supporting learning or training;
- promoting the value of learning or training.

A learning representative could be considered to have gained appropriate training by completing a training course approved by the

TUC or the recognised union, or by demonstrating that they have previously gained the relevant experience and expertise to operate effectively as a learning representative. Experience and expertise gained in areas such as teaching, counselling, providing careers advice and guidance or employee development may be relevant, as may a period of extensive on-the-job training and experience gained in shadowing an experienced learning representative.

2.3.5 Industrial Action

Time off facilities should be granted to trade union representatives involved in negotiations with Falkirk Council relating to industrial action. There is no right to time off for trade union activities which themselves constitute industrial action.

2.4. TIME OFF ARRANGEMENTS

2.4.1 Allocated Time Off for Officials

Paid time off is allocated to each trade union to cover trade union duties, activities and training on the basis of 0.5 FTE per 600 members. The allocated time off can be taken by one representative or split between more than one person.

The allocated time off for each trade union will be based on membership levels as at 1 October each year. Each union should therefore notify Human Resources by 31 October each year of their membership levels and of the name(s) of the nominated representative(s) who will be afforded the time off. Human Resources should also be notified of any significant change during the year which might impact on allocated time off.

Human Resources will be responsible for consulting with services on whether each representative nominated can be given the time off in full or not and then confirming with each service and trade union the details of those who have been allocated time off. Where appropriate a cover facility may be provided for nominated representatives who are allocated the proposed time off for each respective union.

Any amendments to the nominated representative must be notified to the Head of Human Resources and Business Transformation at least one month in advance, otherwise time off may be forfeited.

Members of the JCC will be provided with an additional ½ day for each JCC meeting which takes place to ensure adequate time to prepare and attend. The Depute Convenor of the JCC and Secretary of the JTUC will be provided with a further ½ day for each scheduled Informal JCC. An additional ½ day will be provided for the Trade Union representative attending each meeting of the Health and Social Care Partnership Forum

and Integrated Joint Board meetings. Additional time off will be granted to facilitate the integration process as agreed by the HSCP Chief Officer.

The time allocated should provide trade union representatives with appropriate paid time off to cover both duties and activities and can be used as necessary by each representative, but is mainly to cover the following:

- corporate and service based consultative and negotiating meetings with management, including meetings to consider the business of the Integrated Joint Board;
- attendance at discipline hearings, grievance hearings, employment tribunals and preparatory meetings with their members, where they are required to represent the member;
- attendance at union meetings with the purpose of preparing for negotiations on matters which their union is recognised by Falkirk Council;
- meetings to communicate the outcome of negotiations with management to members;
- Branch or District meetings of the trade union convened during normal working hours where Union business is under discussion;
- meetings of the executive committee or annual conference or training courses;
- trade union learning representative duties;
- health and safety representative duties.

The time off allocated, as detailed above, does not however allow for additional trade union duties required to deal with exceptional circumstances. In such circumstances, the facility time may be reviewed in order to accommodate this and ensure adequate participation and involvement.

It is the responsibility of the trade union official and his/her line manager to come to an agreed arrangement for taking the specified time off. This should be recorded electronically via MyView.

2.4.2 Time Off for Other Representatives, H&S Representatives and Union Learning Representatives

All other representatives will be afforded time off on an ad hoc basis, subject to the exigencies of the service and in accordance with Section 2.3 above.

Applications for time off to pursue duties and activities relevant to the representative's role should be made as far in advance as possible.

Requests should be discussed with the appropriate line manager detailing the purpose of such time off, the intended location, and the

timing and duration of time off required. It should be understood however, that in a minority of cases, it may be unreasonable for a representative to disclose details of the reason for the meeting, eg, in order to respect the confidentiality of an individual employee where they could be readily identified by the information provided. It would not be expected however, that this should occur on a regular basis. Following the discussion with the line manager, the request should then be submitted online via MyView. The manager will be able to formally review the request then approve or reject it

Where a trade union is organising an event which requires a number of representatives to take time off at one particular time, one request should be made to the Head of Human Resources and Business Transformation indicating the names of the representatives and respective services. This should be sent at least 15 days prior to the event taking place. Human Resources will then consult with services on whether the request can be accommodated in full or not and will then confirm the allocated time off with the trade union. Each representative granted time-off will then be required to submit a time-off request via MyView.

Failure to comply with this procedure may result in the time off being refused or payment for the period of time taken/requested being withheld.

2.4.3 Time Off for Trade Union Members

Trade union members may require time off to undertake trade union activities as detailed at 2.3.1 above or to attend preparatory meetings for disciplinary and/or grievance hearings or to access the services of a union learning representative.

Where appropriate, members should try to arrange meetings out with normal working hours. In exceptional circumstances, where this is not possible, or appropriate, ie, to attend disciplinary or grievance hearings, time off with pay will be granted to attend meetings. All other leave will be unpaid and considered to be trade union activities.

Applications should be discussed with the appropriate line manager, indicating the purpose of such time off, the intended location, and the timing and duration of time off required. It should be understood however, that in a minority of cases, it may be unreasonable for a member to disclose details of the reason for the meeting, eg discussing claims of harassment by their immediate line manager, until such times as they have discussed this with their trade union representative.

2.4.4 Amount of Time Off Permitted

The amount and frequency of time off should be reasonable in all circumstances and each application for time off will be considered on its own merits. Guidance is available from Human Resources, as appropriate. All time off must be approved in advance.

In agreeing any time off, consideration should also be given to travelling time. Falkirk Council will not be responsible for travel and subsistence allowances in respect of representatives undertaking trade union business.

Unions will be expected to be reasonable in their requests for time off with the aim of ensuring minimum disruption to the services of the Council.

In circumstances where union representatives who work part-time or shifts have to attend a meeting outwith their normal hours, allowing them the opportunity to take the time back will be considered. Union representatives who work night shift and are required to carry out union duties or training during the day may be given an element of paid time-off in advance of or after the meeting. Where any such union representatives are required to attend regular Trade Union meetings or training, consideration will be given to rearranging the work pattern to accommodate this.

2.4.5 Recording Arrangements

In accordance with the provisions of the Trade Union Act 2016, Falkirk Council is required to publish information relating to facility time taken by trade union officials attributable to specified categories of duties or activities. In order to comply with this requirement, when trade union representatives are making an application for time-off to pursue duties and activities this must be recorded via MyView. Full guidance on the process is available at <http://inside.falkirk.gov.uk/systems/docs/my-view/My%20View%20Dashboard%20User%20Guide%20-%20Employees.pdf?v=201801150821>. Managers will ensure that trade union representatives have access to PC's to facilitate this process.

2.4.6 Refusal of Time Off

After careful consideration, requests for time off for trade unions duties or activities can be refused. The line manager must however be able to justify this decision. Where a difficulty in allowing time off is experienced, the line manager should discuss this with the relevant chief officer and with Human Resources. Once a final decision is reached the line manager should advise the employee verbally of the decision as soon as possible, retaining a record of the reason for any refusal. On request, the Chief Officer will confirm the decision and reasons in writing.

Where the employee considers the refusal to be unreasonable, they can contact the Head of Human Resources and Business Transformation in writing/by email, within 5 days of receipt of the written refusal. The Head of Human Resources and Business Transformation will make appropriate arrangements to deal with the matter.

2.5 PAYMENT FOR TIME OFF

Where time off with pay has been granted in accordance with Section 2.3.1 or 2.3.2 the amount of pay will be, either:

- the amount that the employee would have earned had they worked during the time off taken; or
- where earnings vary, an amount calculated by reference to the average hourly earnings for the work they are employed to do.

The above will include any contractual overtime, but will not include any payment for non-contractual overtime which they would have received had they been working.

There is no right to paid time off where a trade union duty or training occurs on a day when the employee would not otherwise have been in work unless the employee is a shift worker who needs to perform representative or training duties during normal working time. Employees who work part-time and who are required to attend training or to undertake trade union duties on a day on which they would not normally work, would be entitled to be paid the rate equivalent to the time spent on the Trade Union duties/training if staff who work full time would be entitled to be paid. Payment is subject to a maximum of the equivalent daily and weekly pay for a full-time employee on the same terms and conditions of employment. Where an employee would not normally be rostered to work on the day of the training their line manager could, as an alternative, agree to the employee's shifts being changed so that they would be treated as though they had worked on the day on which training takes place, and so are paid accordingly.

2.6 FACILITIES

No permanent facilities at present are provided to trade union representatives for the purposes of conducting trade union business.

Where necessary, managers/headteachers should make appropriate facilities available to representatives in order to perform their trade union duties efficiently. Where appropriate, and taking account of available resources, such facilities shall include accommodation for meetings, access to a telephone, notice boards (including the intranet) and, where the volume of the representatives' work justifies it, the use of office facilities. Any accommodation provided, should be appropriate to the number of union members and level of trade union workload.

A source of learning materials is available from Organisation Development Section. Further information can be found on the Learning Zone of the intranet.

PART 3 IMPLEMENTATION AND REVIEW

3.1 IMPLEMENTATION

Managers, Chief Officers, Human Resources and trade unions will be responsible for ensuring the appropriate implementation of this policy.

Trade unions will be responsible for notifying Human Resources of their membership numbers, and nominated representatives to use allocated time by 31st October each year and Human Resources will be responsible for implementing the required checking and notification procedures in this regard.

3.2 REVIEW

This policy will be reviewed by the Head of Human Resources and Business Transformation in conjunction with service directors and trade unions as appropriate.

This Policy has been Equality Impact Assessed and no adverse impact has been identified.

Allocated Time Off as at January 2018*

TRADE UNION	MEMBERSHIP NUMBERS	PROPOSED ALLOCATION	
UNISON	1832	1.4 FTE	
UNITE	700	0.6 FTE	
EIS	1500	1.3 FTE	
GMB	750	0.6 FTE	
SSTA	186	0.2 FTE	

*Membership numbers provided by Trade Unions and include members paying by check off and direct debit