

ROAD SAFETY POLICY



**MARSHALL
CONSTRUCTION**

MAY 2023

In meeting its responsibility and in order to promote and ensure your welfare (as well as members of the public) the Company must rely on each employee to adopt and maintain a responsible attitude in regard to the wellbeing of others.

Safe driving is a vital element in each individual's ability to perform his or her particular job effectively. The Company must look to each employee to uphold the highest standards of driving and safety.

The Company's philosophy is that, irrespective of blame, all road accidents are preventable, and all risks can be contained. Consequently, the Company operates to a policy of Zero Accident Involvement. As a vehicle user, you are not only responsible for your own safety, you are also responsible for the safety of others who may be affected by your actions. Therefore, you are required to operate your vehicle, at all times, in a manner that is safe, responsible and entirely without incident.

Your vehicle is a valuable item of business equipment, which must always be both available and maintained in a road-worthy condition. The Company must look to each employee to uphold the conditions of roadworthiness demanded by law.

Note: These elements apply irrespective of whether the Company supplies the vehicle and/or whether your own private vehicle is driven on company business.

Responsibilities of the Company/Employees

The Company's structure and method of operation are such that all individuals are responsible to the 'activity' leader who, in turn, is responsible to the Company Directors. The responsibilities of the Directors include, but are not limited to:

- Implementing a Health and Safety Policy
- Ensuring Health and Safety discipline
- Drafting and promoting accident prevention policies
- Investigating all incidents, accidents and hazards
- Investigating and classifying accidents according to the avoidable/unavoidable procedures
- Taking immediate remedial action where practicable
- Advising all management levels in remedial action
- Advising on and providing information to management and staff
- Maintaining safety records, monitoring, codes of practice and procedures
- Maintaining records and 'good housekeeping' in addition to which the Directors will implement and maintain a monitoring programme tracking individual driving performances in accordance with approved procedures. All company vans shall be fitted with a vehicle tracking system to assist in the monitoring of this. The overall objectives of this activity are to:
 - Track vehicles if stolen
 - Identify practices that could cause loss or injury
 - Identify areas where support and/or training may be required
 - Check the performance of existing methods and procedures

- Monitor the effectiveness of training
- Monitor driving hours

Individual Responsibility

As an employee within the Company you also have a responsibility to co-operate in promoting Health and Safety as defined in Section 7 of the Health and Safety at Work etc. Act 1974. Quite apart from your specific duty to observe the health and safety applicable to your job, you are also responsible for the safety of others who may be affected by your actions, and this includes road safety.

Responsibility to prevent road accidents is not based on who is primarily or legally responsible or at fault. It goes beyond careful observance of traffic rules and regulations and embodies the concept of a “defensive” driver. This is one who makes allowances for the lack of skill and lack of knowledge on the part of other road users, who recognises that he has no control over the unpredictable actions of other road users and pedestrians, nor over conditions of weather and road, who develops a “defence” against all these hazards and is careful to commit no driving errors.

Neither icy roads, bends, hills, narrow roads, the absence of signs or signals, signals out of order, nor carelessness, recklessness or ignorance on the part of any other road users relieves you in the slightest degree of your responsibility to drive without accident.

Risk Assessments/Training

In order to meet our risk assessment obligations (MHSAW Regulations) sufficient resources will be allocated to ensure that all employees that drive on Company related activities are not exposed to unnecessary risks. This will include appropriate action to ensure the safe and efficient operation of all vehicles used on Company business, and where necessary relevant and appropriate training.

Mobile Phones

The safety of our employees is a primary concern and the following **must** be observed if you are driving on company business or driving in a company vehicle.

Mobile telephones **must not** be used whilst driving except where fully fitted in-car hands-free systems are in place. Where a fully fitted hands-free system is in the car then **all calls must be kept to an absolute minimum**. We strongly recommend that you put the phone to divert and return any calls when you have pulled over in a safe place. Do not use a handheld mobile telephone in a vehicle unless the vehicle is parked, and the engine is switched off.

If you do receive a call whilst the phone is placed in the hand-free cradle, then advise the caller that you are driving and **keep the conversation as brief and minimal as possible**.

'Driving' here is defined as 'sitting at the wheel of a vehicle with the engine running'.

The government has introduced legislation which makes it an offence for a driver to:

- Speak or listen to a phone call on a handheld phone.
- Send or receive text messages or images
- Use any handheld device to access data, including the internet
- Hold any electronic device used for "accessing" audio, textual, or pictorial communications.

In the new law that came into effect as of 27th February 2007, there is a caveat which states that whilst using a hands-free kit is legal, if it impairs your driving you could be prosecuted for not being in sufficient control of your vehicle. This comes under the same umbrella which also covers PDA's and Satellite Navigation ('Sat Nav') systems.

Smoking

Whether a driver or passenger and regardless of whether on or off duty, smoking is absolutely forbidden in any Company vehicle at any time. The 'No Smoking' ban also applies to individuals who drive or ride in a non-company vehicle whilst it is being used on Company business.

Alcohol and Drugs

It is absolutely forbidden for individuals to drive a vehicle, regardless of whether on or off duty, in an unfit state due to the influence of alcohol, drugs, medication and other substances, or to be in possession of illegal substances on any company property or in a Company vehicle or in their own vehicle if it is being driven on Company business. Any employee taking medicines or prescribed drugs under the direction of their doctor, dentist and hospital must notify their Manager immediately.

Medical Surveillance

The Company reserves the right to have all employees that drive on company business medically checked by either their own GP or by one arranged by the Company. The medical surveillance will normally contain a general fitness test and a back assessment. It may be more in-depth in individual cases, dependent on the circumstances and medical history. An eyesight test may be included in the surveillance or carried out separately regardless of medical surveillance. The aim of the examination is to prevent any driving-related health problems or, if necessary, to reduce/eliminate existing problems.

The medical surveillance details are strictly confidential and will only be disclosed to HR after the employee gives consent. The general assessment of fitness to

drive a car will be reported to HR and will be kept on file for an unlimited period in line with the Data Protection Act. Any issues arising from the medical surveillance will be discussed privately with the individual by the medical practitioner, who will make suggestions for improvements to both the employee and the Company.

Driving Hours/Works and Breaks

Note: Drivers of commercial vehicles with a GVW in excess of 3.5t must abide by current regulations of the pertinent EEC directive.

Driving Licences

It is absolutely forbidden to drive any vehicle on any Company business unless your driving licence is valid for that class or group of vehicles. In order for the Company to meet legal obligations employees must be given permission by the HR Department to drive company vehicles. This means that your driving capability will be assessed, and your driving licence will be checked and validated by the DVLA. Both driving capability and DVLA licence validation shall be subject to regular checks and randomly thereafter. A copy of the driving licence summary will be held by the company. A new copy will be taken and held every time the driving licence is checked. In addition, you are required to notify the Company immediately upon receipt of any changes which affect the validity of your licence e.g. endorsements and/or disqualifications.

Driving licences will also be checked for any nominated drivers the employee wishes to drive a company vehicle (cars only).

Vehicle Maintenance

Common law is still the basis of the law concerning road transport operations. The numerous relevant Acts of Parliament, Orders and Regulations do not replace the Common Law – they merely modify it to suit the circumstances of the different forms of transportation, operation and ownership. Such legislation sets out clear requirements for both employer and driver regarding the roadworthiness and safe operation of all vehicles. This means that you as well as the Company are responsible for meeting these requirements. Any infringement of the regulations could result in a fine and/or loss of the Company Operators Licence (if applicable), as well as endorsements/disqualification of your driving licence.

The requirements also extend to inspections, tests, checks, and the keeping of records to support each action. Items subject to maintenance tests, inspections and checks are:

Daily

- Check tyres visually
- Ensure all lights are operating correctly. It is an offence to drive if your lights are not functioning properly.

- Check the engine oil level and also before setting out on a long journey.
- Ensure that you have sufficient fuel
- Clean the windscreen, all windows, mirrors, headlamps and all other light lenses and number plates.

Weekly

- Check and correct the tyre pressure and tread wear including the spare wheel (if fitted). Keep to the pressures recommended in the manufacturer's handbook. It is an offence to have defective tyres.
- Check the battery and ensure that all connections are secure
- Check the radiator coolant mixture level and also before setting out on a long journey. To avoid injury, this should be carried out when the engine is cold.
- Top up the windscreen wash reservoir. Check the action of the windscreen wipers and the condition of the wiper blades at the same time. It is an offence if your windscreen washer is inoperative for any reason.
- Check the clutch fluid and brake fluid reservoirs (where fitted)
- Complete a visual check of the vehicle and report any defects.

You are required by the Company to complete the daily/weekly checks and record and:

- Keep a copy available for inspection at any time
- Return a copy on a daily/weekly basis as applicable

The Company management will hold all records and also carry out regular audits and random checks to monitor and ensure compliance.

Any defect identified must be reported immediately and arrangements made for the rectification work.

Accident Procedure

All accidents involving any vehicle being driven on Company business must be reported regardless of severity, including accidents not involving a third party.

The procedures for this are as follows:

- Stop
- Exchange the following details with the third party:
 - Date and time of the accident.
 - Name and address of any third party.
 - Registration numbers of all vehicles involved and the nature of the damage (take photographs where possible).
 - Insurance details from all involved parties.
 - Name and Address of witnesses, including their vehicle registration number where applicable.

- Number of any Police officer present.
- Including a sketch/map where possible, note details of the accident site as follows:
 - Width of the road
 - Road names and location
 - Position of the vehicles
 - Speed
 - Direction of travel
 - Tyre marks on the road
 - Position of traffic signs/Traffic Islands/Turning etc
 - Weather conditions and visibility
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If in the event of an accident, you are unable to trace the owner of a vehicle or property, then the accident must be reported to the police within 24 hours. Failure to report an accident is an offence.

Do not admit liability or fault regarding your driving or the condition of the vehicle. No offers or promises should be made to any third parties or witnesses without the prior consent of our insurers and without taking legal advice. The Police should be given all reasonable assistance.

Reporting the Accident

You are required to notify a Director and the Plant Department as soon as reasonably possible after the accident and in any event within 24 hours. Complete all of the relevant documentation as soon as possible and definitely no later than 48 hours after the accident. These documents form the basis of the investigation and will be used in the event of any disciplinary action.

Accident Investigation

All vehicle accidents/incidents will be recorded and thoroughly investigated in order to establish the factors that led to the event. This will enable the Company to identify trends, features and operational weaknesses as well as help us to learn and understand what could assist and help prevent reoccurrences.

Accident Classification

The purpose of the accident classification process is to analyse the circumstances of the accident. Legal liability does not influence the outcome, this is simply to determine whether or not the user concerned was driving in a manner to prevent the accident.

To operate this procedure in a consistent and impartial manner, the Company will use a standard set of questions which will enable a conclusion to be reached about the circumstances surrounding the accident. If the answer to any question is 'No' then the conclusion is reached that the individual concerned was not driving to prevent the accident – therefore the classification is 'avoidable'.

Disciplinary Action

Disciplinary action will be taken in every case where the individual's road risk management obligations do not meet the required standard and where other methods have not led to improved performance.

Conclusion

Road safety is everyone's responsibility. You must always consider the health, safety and welfare of others as well as yourself.



B McDermott
Managing Director
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