



accidents don't have to happen

# Driving for Work Using Own Vehicles



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## Introduction

Driving is the most dangerous work activity that most people do, and it contributes to far more work-related accidental deaths and serious injuries than all other work activities.

Very few organisations can operate without using the road. Millions of vehicles - lorries, vans, taxis, buses, emergency service vehicles, company cars, motorcycles, bicycles - are used for work purposes, and many people work on foot on the road (maintenance workers, refuse collectors, postal workers, vehicle breakdown employees, the police and so on).

Many of the vehicles are owned, leased or hired by the organisations, but many vehicles used for work are owned, leased or hired by individual members of staff. These are often called "grey fleet" vehicles and drivers.

Unfortunately, all these workers face and create risks for themselves and everyone else on the road because they are doing their jobs. The HSE estimate that "more than a quarter of all road traffic incidents may involve somebody who is driving as part of their work at the time."

Police road accident data shows that every year over 500 people are killed (almost one third of all road deaths), 5,000 seriously injured and almost 40,000 slightly injured in collisions involving drivers or riders who are driving for work. This includes other road users, as well as at-work drivers and riders themselves. In fact, most of those killed on work-related journeys are passengers, pedestrians and riders rather than the at-work drivers and riders.



HSE'S [Driving at Work](#) Guidelines state that

*"health and safety law applies to on-the-road work activities and the risks should be effectively managed within a health and safety system."*

This means that you need to put in place policies, people and procedures to enable you to understand:

- How your organisation uses the road (the staff who do so, the vehicles they use and the journeys they make)
- The risks this creates to your staff and other people
- The potential consequences of those risks, and
- The measures needed to manage and reduce these risks and consequences.

This will make your organisation more efficient and successful by helping you to:

- Keep your employees and volunteers safe while at work
- Protect other road users
- Save money by reducing crashes and incidents
- Reduce business interruptions
- Avoid adverse publicity associated with crashes
- Promote smoother driving which improves fuel efficiency and reduces environmental impact.



## Grey Fleet

Employers owe the same duty of care under health and safety law to staff who drive their own vehicles for work (often called 'grey fleet') as they do to employees who drive company owned, leased or hired vehicles.

Various Road Traffic Acts and regulations also require employers to ensure that vehicles used for work purposes are safe and legal to be on the road, and that drivers are properly licensed and insured. For example, it is an offence to **cause or permit** someone to:

- Use vehicle in dangerous condition
- Drive on the road without a valid driving licence or motor insurance
- Use a hand-held mobile phone while driving

### The Organisation's Responsibilities

Employers need to have policies and procedures in place to ensure that all vehicles (irrespective of who owns them) used for work conform to road traffic law, are safe and properly maintained, and are fit for purpose. This is relatively simple for company owned or leased vehicles, but can be more complicated when staff use their own vehicles for work because the organisation needs to be able to check:

- The vehicle is properly taxed, MOT'd and serviced
- The driver has a valid driving licence and business use insurance cover
- Documentary proof of the above, on request (and at specified intervals)
- The driver conducts regular vehicle safety checks

Some employers carry out these checks annually (or more frequently); other's do random spot checks.

If considering a 'cash for cars', salary sacrifice or similar scheme, be sure that the advantages of the company not owning or leasing cars outweigh the greater difficulty of managing staff's own vehicles. Remember that adopting such a scheme does not absolve employers from their health and safety obligations when these vehicles are used for work.

Apply the same policies and procedures on safe driving for company vehicle drivers to grey fleet drivers.

### Employees' Responsibilities

Employees must co-operate with their employer's health and safety procedures and follow their rules and policies when using their own vehicle for work. They must play their part, by ensuring that they are properly licensed and insured to drive for work, fit to drive, plan their journeys safely and comply with road traffic laws when driving. They need to understand, and follow, the organisation's driving for work policies and procedures.

They also need to accept that if they drive their own vehicle for work, their employer has the same legal duty to ensure it is safe and legal as they have for company vehicles. They must also make sure their motor insurance policy includes business use cover, and they have told their insurers that they use the vehicle for work, and how they do so.

This guide gives simple advice on how employers and line managers can develop and implement policies governing if, when and how staff may use their own vehicle for work. It can be used to inform the organisation's MORR risk assessment and ensure that suitable equipment is used.



## What employers can do

### Expect Safe Driving

Make sure that all your staff, including directors, senior managers and line managers, understand that they are expected to drive safely, responsibly and legally, irrespective of who owns the vehicle. If they have concerns about the organisation's driving policy or procedures, they should raise them with their line manager or staff representative.

### Lead by Example

Senior Managers, from the head of the organisation down, should lead by personal example and follow the guidance in this leaflet, both in the way they drive themselves and in encouraging colleagues to drive safely.

### Consult Staff

Consult staff and/or their safety representatives about the organisation's policies governing if, when and how staff may use their own vehicle for work, and review the policies periodically in joint health and safety committee meetings.

### Raise Awareness

As part of recruitment, training and staff appraisal, remind drivers and line managers about the:

- law about staff using their own vehicle for work
- organisation's policy and procedures about staff using their own vehicle for work
- importance of staff following the policy and procedures.



### Make Sure All Vehicles Used for Work are Safe and Legal

Your vehicle selection and management procedures should ensure that every vehicle used by the organisation is road legal, roadworthy and fit for purpose.

### Include Grey Fleet Vehicles

Apply the same policy and procedures to staff who use their own vehicles for work as for staff who use company vehicles.

### Consider a Permit to Drive

Many organisations operate a 'permit to drive' system in which only staff who have been authorised to do so are allowed to drive on company business; sometimes it is a condition of the company's insurance.

### Liaise with Other Organisations

It is very useful to liaise with police forces, road safety bodies and other organisations such as trade associations to share knowledge and experience.

### Set Minimum Standards for All Vehicles Used for Work

Company vehicles and grey fleet vehicles of staff who receive financial assistance for their own car should meet equivalent safety standards. However, it is not feasible to expect staff who do not receive such financial assistance, especially those on lower salaries, to be able to afford a car that meets the same standards as a modern company car. Despite this, all vehicles driven for work must be suitable for the type of work driving undertaken, and meet some minimum safety requirements.



Cars that score highly in [EuroNCAP](#) tests exceed the minimum legal safety standards that all cars must meet. [EuroNCAP](#) publishes star ratings of each car it tests at [www.euroncap.com](http://www.euroncap.com). A minimum 4 or 5 star Euro NCAP rating is recommended. As well as giving cars an overall star rating, EuroNCAP tests shows how well the car protects adult and child occupants in front and side impacts, how well it minimises injury risk to pedestrians, cyclists and other vulnerable road users and its use of safety technology, such as electronic stability control.

### Minimum Safety Features

Seat belts and head restraints must be fitted in all seats, and there should at least be a driver's airbag. Newer vehicles are likely to be fitted with additional airbags, ABS and other safety features, but older vehicles may not be. Agree minimum requirements in consultation with staff and their representatives.

Additional safety features (such as Electronic Stability Control) are available in most modern cars, as standard or optional extras, and other features (such as Autonomous Emergency Braking) are becoming more common. However, they may not be fitted in older vehicles. See "[Driving for Work: Choosing Safer Vehicles](#)" for more information.

Advice for drivers with disabilities, or who may have disabled passengers, is available from [Motability](https://www.motability.co.uk/) (<https://www.motability.co.uk/>) and [DrivingMobility](https://www.drivingmobility.org.uk/) (<https://www.drivingmobility.org.uk/>).

### Unacceptable Features

Features or accessories which might increase risk, such as unnecessary in-car distractions, should be avoided.

### Conduct Safety Checks for Grey Fleet Vehicles

Ensure grey fleet vehicles are taxed, MoT'd where necessary and serviced according to the manufacturer's recommendations, and that drivers have 'business use' insurance when using their own vehicles for work.

Check vehicle documents, such as servicing, MOT (when applicable), motor insurance, tax and so on, either on a regular basis or in random spot checks.

Ensure that grey fleet drivers know how to conduct vehicle safety checks and do so regularly. Provide a checklist to encourage them to conduct weekly safety checks, and pre-drive checks, of their vehicle.

Require drivers to report defects on any vehicle used for work, and provide a defects form for them to do so. Consider conducting (or contracting an external agency to do so) periodic visual checks of vehicles, including private ones, used for work (e.g. when they are in the company's car park).



### Check Driver Licences

Conduct regular driver licence checks, at least once a year, but more often for high mileage drivers or those with a poor driving record. An easy way of tracking endorsements is to check driving licences (at appointment and regularly afterwards); the most cost-effective way of doing this is usually via the DVLA's online checking facility (each driver must sign a mandate allowing you to do this).



### Check Vehicle MOTs

Conduct vehicle document checks on appointment and regularly afterwards (once a year or more often for high mileage drivers or those with a poor driving record). Grey fleet drivers can check the MOT status and history of their vehicle at <https://www.gov.uk/check-mot-status> and <https://www.gov.uk/check-mot-history>.

### Monitor Occasional Own Car Use

Many organisations set a maximum distance (e.g., return trip of 50 or 100 miles) for staff who only occasionally use their own car for work, beyond which a company or hire vehicle must be used. If a maximum distance (e.g., return trip of 50 or 100 miles) is set for staff who only occasionally use their own car for work, beyond which a company or hire vehicle must be used, it should be monitored to ensure that the limits are not being exceeded.

### Assess and Train Your Drivers

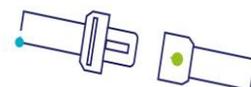
Assess drivers' attitudes and their driving competence on recruitment, during induction and regularly afterwards, including the issue of drink, drugs and medicines, with their drivers during periodic staff appraisals and team meetings.

Assess all drivers regularly, but prioritise those with the greatest mileages, young drivers, drivers using a new type of vehicle, such as a van, and drivers with a crash history or history of motoring offences. Use the results to identify training needs and other risk management measures, and discuss driving during individual staff appraisals, and in group meetings.

Provide driver education and practical training for drivers, including grey fleet drivers, based on the needs identified through driver assessment and targeting those at greatest risk first. See "[Driving for Work: Driver Assessment and Training](https://www.rospa.com/road-safety/resources/free/employers/)", available free at <https://www.rospa.com/road-safety/resources/free/employers/>.

### Seat Belts and Head Restraints

Make sure your drivers always wear their seat belt, and insist that their passengers wear their seat belts. Head restraints are an important part of a vehicle's occupant protection system. When correctly positioned, head restraints reduce the likelihood of whiplash. The top of the head restraint should be as high as the top of the head and as close to the rear of the head as possible.



### Carrying Goods

Make sure your drivers know how to load and secure any goods they carry, that their vehicle is suitable for carrying those goods, and if necessary, is fitted with appropriate storage equipment.

### Train Line Managers

Managers, supervisors and team leaders should be trained to help ensure that grey fleet vehicle use is monitored and that their staff are actually implementing the procedures properly and provide regular opportunities for them to raise issues or concerns.

### Monitor and Review

Managers should discuss at-work driving with their drivers during periodic staff appraisals and team meetings. The circumstances of any speeding offences should form part of an individual employee's performance appraisal, leading, where appropriate, to new personal performance targets. Be aware that some staff, especially younger employees or those new to the company, may not feel able to raise concerns for fear of jeopardising their relationship with the company or their manager. For more advice about "Young Drivers at Work", see [www.rospa.com/roadsafety/youngdriversatwork/default.aspx](http://www.rospa.com/roadsafety/youngdriversatwork/default.aspx).



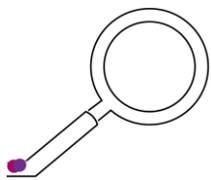
### Require Drivers to Report Motoring Offences

Require drivers who have been cautioned, summoned or convicted for a motoring offence to inform their line manager so they can discuss what (if any) action is necessary to prevent repeat occurrences. Keep the organisation's insurers informed.

### Require Drivers to Report Crashes and Incidents

Require staff who are involved in a work related crash or damage-only incident (whether at work or not) to report this to their line manager, irrespective of who owns the vehicle. It is essential to ensure to keep the organisation's insurers informed as failure to do so may invalidate the insurance policy. If possible, also record and analyse near misses, as they can provide valuable information. Line managers should understand their responsibilities to ensure that reporting procedures are followed and encourage a 'just culture' so staff are reassured that reporting will not lead to unfair action.

### Investigate Incidents



Investigate crashes (including damage only ones), offences and near misses to establish both the immediate and root causes of what happened, and to identify the measures that will reduce the risk of repeat occurrences.

Share the lessons learned throughout the organisation.

Managers responsible for investigations should be properly trained to conduct investigations and interpret the findings. Telematics are a useful way of providing accurate data about what a vehicle was doing immediately before and during an incident.

Lessons learned should be fed back into the organisation's policy and procedures, and communicated to managers and staff. Review claims data with the organisation's insurers.

## Further Information and Support

[HSE Driving at Work: A Guide for Employers](#)

[RoSPA Driving for Work Resources](#)

[RoSPA Fleet Safety](#)

[RoSPA Advanced Drivers and Riders](#)

[Occupational Road Safety Alliance \(ORSA\)](#)

[Scottish Occupational Road Safety Alliance \(ScORSA\)](#)

[Driving for Better Business \(DfBB\)](#)

[Fleet Safety Benchmarking](#)

[Think Road Safety](#)

[The Highway Code](#)

[Department for Transport](#)

[Vehicle Information from the DVLA](#)

[Check MOT Status](#)

[Check Vehicle Tax Status](#)

[Driver and Vehicle Standards Agency](#)

[Road Safety GB](#)

[Road Safety Scotland](#)

[Road Safety Wales](#)

[Motability](#)

[DrivingMobility](#)





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