



accidents don't have to happen

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Patron: Her Majesty The Queen

September 20, 2021

Dear Sirs,

Thank you for your letter on September 15 requesting RoSPA's views on the government's plans to provide further relaxations in respect of drivers' hours and rest periods for the period from 4 October 2021 to 23 January 2022.

Our responses to the Department's questions are below:

Consultation questionnaire

Name of Organisation: The Royal Society for the Prevention of Accidents (RoSPA)

1. Do you think that the drivers hours rules relaxation should be extended, as they are, beyond 3 October 2021?

Agree Disagree

Please explain your reasons below:

RoSPA believes that more consideration must be given to the safety of drivers and other road users. Drivers' hours rules are an important part of the road safety system and relying on legislation that allows employees to drive for more hours than set out in the drivers' hours rules could lead to an increase in fatigue related road crashes. This would place drivers and other road users at risk.

Tiredness reduces a driver's ability to recognise hazards, slows their reaction times and impairs their judgement. This combination of factors can be lethal, as a driver will only spot a hazard at the last minute, if at all. It also reduces their vigilance, alertness and concentration and their speed and quality of decision-making may also be affected. People who drive for work are particularly susceptible to fatigue, especially if they have long driving hours, drive at night or work irregular shift patterns.

Sleep related crashes tend to be severe because the driver is not able to brake or swerve before the impact, and where such crashes involve commercial vehicles, the larger size and higher mass also means the crashes are more severe. We are also concerned about the health and wellbeing of drivers and continue to stress the importance of driver health checks in the context of the current driver shortage.





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Employers, including Goods and Passenger Vehicle Operators have clear duties under both health and safety law and road traffic law to ensure that they manage their road operations in a way that minimizes risk to their employees and to everyone else using the road. This means that, in addition to many other things, they must ensure that their drivers are not at risk of falling asleep at the wheel or driving when tiredness impairs their driving ability. A key feature of managing the risk of driver fatigue is ensuring that drivers do not drive for too many hours.

However, this risk is not always well-managed. Just last year, a company¹ was fined £450,000 alongside £300,000 in costs after being convicted under the Health and Safety at Work Act for failing to ensure that two of its workers were sufficiently rested to work and travel safely. This failure to manage driver fatigue was fatal, resulting in two workers dying in a collision in a company van.

2. To what extent do you agree or disagree with the proposed length of the extension?

Agree Disagree

Please explain your reasons below and suggest an alternative:

RoSPA would not support any relaxation of drivers' hours for any length of time. We are concerned that any relaxation of drivers' hours could lead to an increase in driver fatigue related accidents. This extension seems to be for economic reasons to cover the lack of HGV drivers and is not in the interest of safety of the driver or other road users.

¹ Office of Rail and Road (2020) 'Contractor Renown Consultants fined £450k'
<https://www.orr.gov.uk/search-news/contractor-renown-consultants-fined-ps450k>

3. To what extent do you agree or disagree that any continuation of relaxations should be applied to the whole haulage sector?

Agree Disagree

Please explain your reasons below

RoSPA strongly disagrees. As stated above, we would not support any relaxation of drivers' hours due to our concerns about driver fatigue and the impacts this could have on both drivers and other road users.

4. Are there any new concerns that would warrant a continuation of relaxations that have not been covered previously?

Yes No

5. Do you agree or disagree that the use of the Drivers' Hours relaxations has allowed for greater flexibility in deliveries?

Agree Disagree

RoSPA is not a large good vehicle operator and therefore is not in a position to comment.

6. Are there any other potential costs and impacts of maintaining the drivers hours relaxations that we should consider?

Yes No

If 'Yes', please provide details below?

Alongside our concerns about the impact on road safety outlined above, we believe that this proposal also has potential to be counter-productive in terms of recruitment, making the occupation less appealing and is likely to prove unpopular with drivers and their union representatives. For RoSPA, temporary extensions are not solving the overarching issue, which is driver recruitment.





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These proposals must be considered in tandem with the recent announcement that changes will be made to HGV driving tests. In combination, these moves will place drivers at a higher risk of being involved in a collisions caused by fatigue and inexperience.

7. Would you like to make any other comments relevant to the amended policy?

Yes

No

RoSPA has no further comments to make on the consultation process, other than to thank Department for Transport for the opportunity to comment. We have no objection to our response being reproduced or attributed.

Yours Sincerely,

Becky Needham

Road safety officer, England

The Royal Society for the Prevention of Accidents (RoSPA)

