

Driving for work:
Fitness to drive
May 2015



Road Safety

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Introduction

Driving is the most dangerous work activity that most people do. Research indicates that over 100 people are killed and seriously injured every week in crashes involving someone who was driving, riding or otherwise using the road for work.

HSE Guidelines, 'Driving at Work', state that "health and safety law applies to on-the-road work activities as to all work activities and the risks should be effectively managed within a health and safety system".

So, employers must conduct suitable risk assessments and put in place all 'reasonably practicable' measures to ensure that work related journeys are safe, staff are fit and are competent to drive safely and the vehicles used are fit for purpose and in a safe condition. Such measures will more than pay for themselves by reducing accident costs, many of which (e.g. lost staff time, administration costs) will be uninsured.

Fitness to Drive

"Illness or disability, mental or physical" is a contributory factor in around 6% of reported fatal road accidents, 3% of reported serious road accidents and 2% of all reported road accidents. This is probably an under-estimate due to the difficulties in assessing whether those involved in a crash had a medical condition, and if so, whether it contributed to the crash or its consequences.

Employers have a duty to ensure that staff are fit for work, including driving, and where necessary to arrange for periodic health surveillance.

Drivers are also responsible for ensuring that they do not drive if they are not fit to do so, and that they report any condition that affects their ability to drive safely to their employer, and if necessary to the DVLA.

Health and Driving

A person's fitness to drive can be affected by a medical condition, by temporary illness and by the environment in which they work, drive and live.

Health impairments – including stress, sleep disturbance, migraine, flu, severe colds, hayfever – can lead to unsafe driving. Sometimes, the treatment for these conditions can also impair someone's driving.

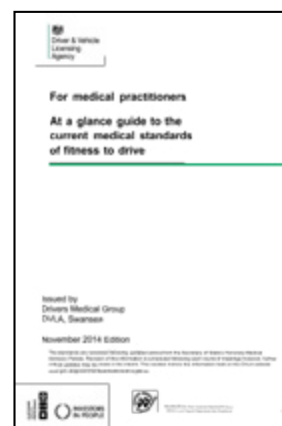
Driving, if not properly managed, may cause health problems or aggravate a pre-existing condition (for example, lower back pain).

Relevant health issues should always be considered in driving risk assessments. However, few workers enjoy perfect health so a sense of proportion needs to be maintained and unfair discrimination avoided.

Medical Rules

The Driver & Vehicle Licensing Agency (DVLA) sets minimum medical standards and rules for drivers, including conditions that must be reported to the DVLA. Extra rules apply to drivers of large vehicles over 3,500kgs, minibuses and buses.

The DVLA's "At a Glance Guide to the Current Medical Standards of Fitness to Drive", available free at www.dft.gov.uk/dvla/medical/aag.aspx, outlines the conditions that must be reported.



Some medical conditions mean that a driver must surrender their licence and not drive, until passed fit to drive again by the DVLA.

Information and advice, including a list of health conditions that may need to be reported to the DVLA, is available at <https://www.gov.uk/browse/driving/disability-health-condition>.

Employers, line managers and individual drivers and riders should be aware of, and follow, these rules. It is a criminal offence for a driver not to report to the DVLA any condition that affects their ability to drive safely. It may also invalidate their insurance. Employers who knowingly conceal this information may also be guilty of an offence.

Long-term Illness

Long-term illnesses, or the medical treatment for them, may also impair a driver's ability to drive safely. Illnesses that lead to a deterioration in physical or mental capacity over time, or with symptoms that may increase to a point where safe driving is compromised, need to be kept under review.

Temporary Ill-health



Severe bouts of common ill health conditions, such as colds, flu, migraine, stomach upsets, infections, hay fever, etc. can affect a driver's ability to drive safely.

A heavy cold is a good example as the symptoms (headache, blocked sinuses, sneezing, tiredness) can impair a driver's mood, concentration, reactions and judgement.

It is not just the illness but also the treatment that can undermine fitness to drive. Concentration, perception and reaction times can be affected by some prescription and over-the-counter medicines. Some remedies for coughs, colds, flu and hay fever, may cause drowsiness.

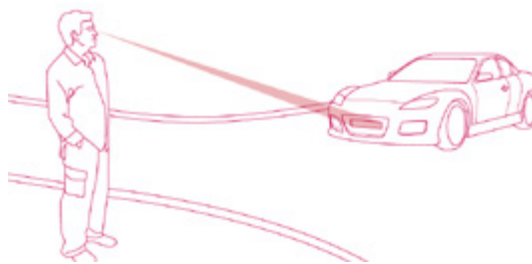
It is difficult to predict whether a medicine will affect a person's ability to drive, and if so, how and for how long. Further advice is available in 'Driving for Work: Drink and Drugs' at www.rosipa.com/roadsafety/resources/employers

A common sense approach is needed as it is possible to drive safely while feeling slightly 'under the weather', but equally a point may be reached when it is unwise to continue. The individual needs to be empowered to assess whether or not they are fit to drive.

Eyesight

Drivers **MUST** be able to read:

- a new style number plate from a distance of 20 metres, or
- a vehicle number plate from a distance of 20.5 metres



Drivers who need glasses or contact lenses to drive must wear them at all times when driving (see Rule 92 of The Highway Code).

Any condition that affects both eyes and vision (excluding long and short sightedness and colour blindness) should be reported to the DVLA. This will not necessarily mean an individual will lose their licence – an assessment is made in each individual case.

Eyesight can deteriorate gradually over time, and so many drivers may not realise it has fallen below the minimum standard.

For more detail about the Driving Eyesight Rules see <https://www.gov.uk/driving-eyesight-rules>.

Pregnant Drivers at Work

Pregnancy is not a form of ill health and should never be regarded as such. However, the Management of Health and Safety at Work Regulations require employers to conduct a risk assessment of the work to be carried out by a member of staff who is pregnant. Some women can experience health problems during pregnancy.

A sympathetic approach is needed, and at some point, changes to work patterns are unavoidable. Employers should provide an environment that allows pregnant women to communicate their needs without fear of prejudice.

It is important that women who are pregnant wear their seat belt correctly. Pregnancy does not exempt women from the requirement to wear a seatbelt. A doctor will only issue a 'Certificate of Exemption' if there is a medical reason for not using a seatbelt.

The diagonal strap should be between the breasts, over the breastbone, resting on the shoulder, not the neck.

The lap belt should be placed on the thighs, fitting beneath the abdomen and over the pelvis, not the bump.

The belt should be worn as tightly as possible.

Pregnant women should never wear lap-only belts.

As the pregnancy progresses, the driver's position in relation to the steering wheel and airbag should be considered. The driver should sit as far back as possible, while ensuring she can still easily reach and operate all the controls.

A free leaflet, 'Buckle Up For Baby and You' can be downloaded from http://think.direct.gov.uk/assets/pdf/dg_195233.pdf.



Drivers with Disabilities

Employers have legal duties to ensure that staff with disabilities are not subject to unfair discrimination and that reasonable adjustments are made, if necessary, to enable them to work safely.

A risk assessment must be carried out to identify additional risks faced by those with disabilities and to enable their needs to be met. Some common issues affecting driving include reduced physical capacity (such as the ability to operate controls, turn the head), deafness and severe musculoskeletal disorders.

Stress & Other Mental Health Issues

Driving can be very stressful, especially if schedules put unreasonable time pressures on drivers. High stress levels can lead to a fall in productivity: millions of working days are lost due to stress, depression and anxiety. Some main causes are:

- the demands of the job
- poor work organisation and uncertain roles
- poor work-life balance
- domestic/personal issues
- congestion and the behaviour of other drivers



Stress can impair sleep quality (which in turn can heighten feelings of stress) and driver behaviour. Some treatments for stress, depression and other mental ill-health can also affect a person's fitness to drive.

Employers should include driving for work within their stress risk assessments. Visit www.hse.gov.uk/stress/index.htm.

What employers should do

Consult Staff

Ensure that staff and/or their safety representatives are fully consulted about the organisation's policy on safe driving, including how it relates to health and fitness to drive. The policy should be reviewed periodically in joint health and safety committee meetings.

Expect Safe Driving

Ensure all staff, including managers, understand that the organisation expects everyone to drive within the law, safely and responsibly on work journeys.

Train Managers

Train all managers to manage work related road safety as part of their health and safety responsibilities. They should understand how driving can affect health and how health can affect safe driving. This should include training in the 'soft skills' needed when dealing with health issues and the need to respect medical confidentiality.

Managers should lead by example and follow the organisation's policy.

Raise Awareness

Recruitment, training and staff appraisal for drivers and their line managers should include the:

- laws and rules about safe driving (the Highway Code)
- medical rules for drivers
- potential risks of driving when unfit
- organisation's policy on fitness to drive
- help that is available to drivers with health issues
- legal, financial and bad PR consequences of poor driving
- organisation's policy on work related road safety, including its policy on health issues;
- need to co-operate, to report problems and to participate in investigations.

Be Positive

It is essential that staff feel confident that they can report health issues and their ability to drive safely, without this affecting their job security or career prospects. Staff need reassurance that health problems will be treated sympathetically and that appropriate occupational health advice will be available, otherwise, they will simply avoid reporting problems.

Include Driving in your Occupational Health Policy

Fitness to drive policies should be included in the organisation's overall Occupational Health Policy. The person responsible for the organisation's occupational health should be consulted when developing fitness to drive policies. In particular, line managers should know when they need to consult their HR and Occupational Health colleagues.

Include Fitness in Driving Risk Assessments

Ensure that risk assessments consider and document the risks related to health issues, and the measures taken to address them.

Conduct Pre-employment Health Assessments

For roles that involve driving, a health assessment (for example, a pre-employment health questionnaire) should seek to identify whether there are issues that might affect fitness to drive. The assessment must be devised with the help of a qualified occupational health professional, and be handled according to established rules of medical confidentiality and data protection. Where results indicate there may be a problem, the employee can be referred to an occupational health professional for further assessment.

Consider Vocational Drivers

There are specific medical rules for vocational drivers (bus, coach, minibuss and lorry drivers) that must be followed.

Review Sickness and Attendance Management Policy

Return to Work interviews should assess whether the person is fit to drive again, and whether additional support is needed. For example, schedules could be adjusted to reduce driving hours or allow more time for rest breaks. It may be that someone is fit to return to office duties before they are fit to drive for work, in which case their duties could be temporarily adjusted.

Line managers should not permit or require an individual to drive if they are undergoing changes to their medication that might affect their driving ability, or if they are feeling the side effects of their medication. It is useful to review absence patterns among drivers periodically to see if there are any significant trends that may be associated with driving.

Rehabilitation

Employers need to consider the capacity and needs of drivers when they return to work following injury or illness. Guidance is available at www.hse.gov.uk/sicknessabsence/index.htm.

Establish How To Get Access To Help

It is important that line managers and staff know where to obtain assistance for any health concerns. The first port of call should be the organisation's HR Department.

Companies that do not have an Occupational Health Department should establish a system for obtaining this service through an occupational health specialist. Advice can be obtained from NHS Health at Work, www.nhshealthatwork.co.uk/, who operate a free advice line, and from www.health4work.nhs.uk/.

Employers can use this scheme to ensure their staff receive professional occupational health advice. Health referrals must relate to the requirements of the job. Disabled workers should not be referred simply because they are disabled, but because their health is being affected by their job. The assessor should also have a clear framework on which to base their judgements.

Consider Periodic Health Surveillance

Periodic health surveillance can help to ensure that work related health issues that might affect an employee's ability to drive are spotted early and suitable measures to address them are identified. It can also assess the status of a previously identified ill-health condition. It is expensive and ideally should be targeted at tackling specific problems. Employers should ensure that reports from health surveillance are kept strictly confidential.

If an issue that affects a person's fitness to drive is identified, the employer must consider what to do. This may involve adjusting work tasks, requiring someone to refrain from driving and/or reporting the health problem to the DVLA (if required).

Cope with Long-term Illness

Long-term illnesses should not preclude staff from driving while they are medically cleared to do so. However, both employers and staff should be aware of the unique situations that this can sometimes present. Coping strategies should be devised, including what to do if a crisis situation develops.



Employees who are suffering from a serious illness (particularly one which leads to gradual deterioration in physical or mental faculties) should be encouraged to seek proper medical help and any recommendations that affect their ability to drive should be passed on to the employer.

Encourage Eyesight Tests

Organisations should ensure that staff who drive for work are aware that they must meet the minimum legal eyesight standards.

If they are required to wear glasses or contact lenses, they must do so whenever they drive. Advise staff to keep a spare set of spectacles in the vehicle.



Advise staff to have their eyes tested at least every two years, or more often if advised by an ophthalmologist.

Many employers subsidise or provide eye tests for staff who work with Display Screen Equipment.

Manage Stress

Stress management is an essential part of health and safety policy. Staff should feel empowered to express any concerns they might have relating to stress, whether due to their work or domestic life, that could undermine their fitness to drive.

Employers need to ensure that working regimes and tasks do not put undue pressure on staff, as that is likely to cause or magnify stress. Stress may also be caused by events in an individual's private life, but even so, it is likely to affect their ability at work.

Driving schedules should be planned so that staff are not required to drive too far, too long or too fast, and without adequate rest breaks.



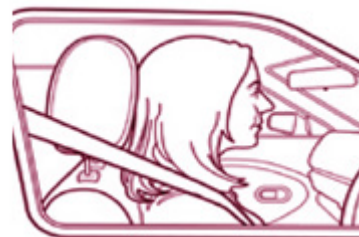
Further advice is available in 'Driving for Work: Safer Journey Planner' at www.rosipa.com/roadsafety/resources/employers.

Stress can also be caused by requiring an individual to undertake duties for which they do not feel competent. This may include driving generally, driving particular vehicles or particular types of journey. Driver assessment and training can help to identify and address such concerns. Further advice is available in 'Driving for Work: Driver Assessment and Training' at www.rosipa.com/roadsafety/resources/employers.

HSE Standards on Stress Management can be found at www.hse.gov.uk/stress/standards/index.htm.

Consider Vehicle Ergonomics

A poor driving position, such as a badly adjusted seat, can lead to postural problems and neck, arm, leg and back pain, which can exacerbate an existing condition or cause a long-term health problem.



A correctly adjusted head restraint can prevent whiplash injuries.

Provide advice or training on how to ensure that the driving position is correct and head restraints are properly used.

For more details, see www.rosipa.com/roadsafety/adviceandinformation/vehiclesafety.

Provide manual handling training to drivers who load goods, or help passengers, into and out of vehicles, and check the vehicles are suitable for carrying the loads and passengers. Excessive noise and vibration, both of which can adversely affect the health and driving attitude of the driver, also need to be avoided.

Assess the design of vehicles and equipment at the procurement stage and ensure that features critical to health are checked and maintained regularly to ensure that they remain fit-for-purpose.

Consider Pregnant Drivers

Give special consideration to pregnant drivers and conduct a risk assessment of their duties. It is likely that changes to work patterns may become necessary at some point. Employers should provide an environment that allows women to communicate their needs freely. Employers should also provide advice or training to ensure that the driving position is adjusted if necessary, and that the seat belt is worn correctly.

Consider Drivers with Disabilities

Conduct a full risk assessment to identify any additional risks faced by staff with disabilities and to cater for their needs. The employee should be involved to allow them to communicate their needs clearly.

Ensure that any technology or adaptations to assist an employee to drive are fitted and maintained effectively. There are numerous driving aids ranging from hand controls for pedals, steering wheel knobs, adapted mirrors and specialist safety belts. More information can be found at www.motability.co.uk/.

Record and Investigate Accidents

Require staff involved in a work-related crash, including damage-only incidents and significant near misses, to report it to their line manager. This enables those investigating the causes of the crash to consider if fitness to drive was an issue in the incident. Insurers should also be kept updated of any incidents and their causes.

Require Drivers to Notify Driving Offences

Drivers who have been cautioned, summonsed or convicted for driving offences should inform their line manager to enable a discussion to determine if fitness to drive was a factor in the incident, and if so, how this can be addressed to reduce the risk of it re-occurring.

Monitor and Review

Managers should discuss fitness to drive with their drivers, for example, during periodic staff appraisals and team meetings. Any feedback from drivers about health issues should be noted and addressed as necessary.

Signpost Further Advice

HSE Work Related Road Safety

www.hse.gov.uk/roadsafety/index.htm

HSE Guide, 'Driving at work'

www.hse.gov.uk/pubns/indg382.pdf

DVLA. 'Medical Rules for Drivers'

www.dft.gov.uk/dvla/medical/aag.aspx

RoSPA Free "Driving for Work" guides

www.rospa.com/roadsafety/resources/employers/

RoSPA. 'Eyesight and Driving'

www.rospa.com/roadsafety/adviceandinformation/driving/eyesight-and-driving.aspx

The Highway Code

<https://www.gov.uk/highway-code>

Websites

DVLA

<https://www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency>

RoSPA Road Safety

www.rospa.com/road-safety/

Occupational Road Safety Alliance

www.orsa.org.uk

Scottish Occupational Road Safety Alliance

www.scorsa.org.uk/

AIRSO

www.airso.org.uk/

Brake

www.brake.org.uk/

Driving for Better Business

www.drivingforbetterbusiness.com/

Think Road Safety

<http://think.direct.gov.uk/>

Driver Fitness to Drive Policy

As part of our overall health and safety policy, we are committed to reducing the risks which our staff face and create when on the road as part of their work. We ask all our staff to play their part.

When driving for work, staff must always drive within road traffic laws, safely and responsibly. Failure to comply with the policy may be regarded as a disciplinary matter.

Senior managers must:

- lead by example, by ensuring that they drive within road traffic laws, safely and responsibly, and by following the organisation's fitness to drive policy.

Line managers must ensure:

- they also lead by personal example
- staff understand the dangers and consequences of poor driving
- staff receive appropriate driver assessment and training to help them drive safely
- staff understand what to do if they consider they are at risk due to the driving they are required to do
- staff are confident that they can report and discuss any fitness to drive problems they might have with an appropriate person without fear of being treated unfairly
- work related road safety is included in team meetings and staff appraisals and periodic checks are conducted to ensure our policy is being followed
- they follow our monitoring, reporting and investigation procedures to help learn lessons which could help improve our future road safety performance
- they challenge unsafe attitudes and behaviours, encourage staff to drive safely, and lead by personal example in the way they themselves drive.

Staff who drive for work must:

- always drive within road traffic laws, safely and responsibly
- follow the organisation's fitness to drive policy
- discuss any fitness to drive problems or concerns they have to their line manager
- report any health issue that affects their ability to drive to the DVLA
- report any driving accidents, or cautions, summons or convictions for driving offences, to their line manager and co-operate with monitoring, reporting and investigation procedures.



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