



HUMBERSIDE FIRE AND RESCUE SERVICE

# HEALTH, SAFETY & ENVIRONMENT

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## MANAGEMENT OF OCCUPATIONAL ROAD RISK

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| <b>Owner</b>               | <b>Director of Service Improvement</b> |
| <b>Responsible Person</b>  | <b>Head of Health and Safety</b>       |
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## **1. INTRODUCTION**

Humberside Fire and Rescue Service (HFRS) recognise that the health, safety and welfare of its employees is an integral and fundamental part of its function. Consequently, best practice will be adopted where possible to ensure that the Service complies with its legal duties and fulfils its moral obligations to its employees and other people who may be affected by its activities.

The Service acknowledges that the driving of vehicles can pose a significant risk to Service employees and to members of the public. HFRS will, therefore, ensure that all reasonably practicable control measures shall be put in place to reduce any risk to its lowest extent.

The Chief Fire Officer and members of the Strategic Leadership Team (SLT) of HFRS are personally committed to constantly improving health and safety throughout the Service as we believe that good safety is good business and should be given equal status to other business objectives.

## **2. EQUALITY AND INCLUSION**

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services nor in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

## **3. AIMS & OBJECTIVES**

To provide and maintain formal planning and implementing arrangements to prevent harm to people at the point of risk, taking account of specific legal issues relevant to the Service.

Ensuring we have suitable and sufficient risk control systems in place to minimise the hazards and risks.

## **4. ASSOCIATED DOCUMENTS**

- Organising for Health & Safety
- Planning and Implementation
- Service Telephony
- Responding to Incidents
- Provision and Use of Vehicles
- Use of Service transport for organised activities
- Security
- Radio Procedures

### **Appendix A – Hand Signals for the Guidance of Drivers when Reversing**

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## **5. GUIDANCE INFORMATION**

While the driver of any vehicle is ultimately responsible for how that vehicle is driven, HFRS accepts that it has a duty of care to employees and members of the public, this creates a balance of responsibility between the Service and its employees.

This policy sets out how HFRS will ensure that all employees who drive HFRS vehicles are competent and that risks associated with driving are reduced to the lowest level that is reasonably practicable.

The Service aims to:

- Minimise personal suffering resulting from road vehicle accidents
- Reduce indirect costs of accidents
- Reduce insurance costs
- Enhance the public image of the Service
- Ensure that all personnel conform to current legislation
- Take action to prevent recurrence of driving incidents

### **Risk Assessment**

Risk assessments must be carried out for all employees who are required to drive in their work for HFRS. The risk assessment will involve identifying all potential hazards and the risks associated with specific work-related driving activities. It will identify who may be affected and how, and the control measures which are needed to eliminate or reduce the risk to the lowest level reasonably practicable. Line Managers must ensure that risk assessments are carried out and that the significant findings are recorded and shared with all relevant risk groups.

All drivers will also carry out risk assessments before beginning any long-distance journey(s). This will include assessing the condition of the vehicle, weather conditions, route and journey time considering the planning of overnight stay and their own fitness to drive.

For drivers attending emergency incidents they must consider the nature of the incident and their role before utilising audible and blue light devices as well as exceeding speed limits (for further guidance see section Traffic Regulations).

### **The Driver**

Under The Road Traffic Act, drivers are legally responsible for their own actions on the road and for observing all traffic regulations. It is incumbent on all drivers to ensure that every vehicle they operate is driven with care and consideration for other road users. At no time must vehicles be driven recklessly, or in a manner, or at a speed likely to cause danger to another road user. Personnel are reminded they are representing the Service and as such their behaviour whilst driving is a reflection on our organisation. Therefore, we expect our drivers to be polite and to follow the all driving laws and regulations at all times.

Within HFRS there are a variety of drivers who will have specific duties and responsibilities. All drivers will have to satisfy the following conditions before being allowed to drive Service vehicles:

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- The appropriate, valid, license will be held by the person for the class of vehicle to be driven, and
- The driver will have passed the appropriate Department of Transport test to drive the class of vehicle, or that driver is about to undertake a driving instruction course run by a HFRS driving instructor.
- All drivers will give unconditional permission to the Service, so it may apply to the DVLA, through whichever means, to access that driver's license records.
- All drivers will inform the Service of any change in circumstance which may have any bearing on their ability to drive HFRS vehicles as stated in section Changes in Circumstances.

It is the responsibility of drivers of Service vehicles to ensure that they are fit to drive. Personnel will refrain from driving and inform their line manager if they:

- Have any health issues which may affect their ability to drive (subject to statutory requirements under the Disability Discrimination Act 2005).
- Feel fatigued.
- Have any personal problems which may impair their driving.

### **Alcohol and drugs**

- Personnel must not carry out their duties whilst under the influence of drugs or alcohol.
- If a driver feels unfit to drive due to the effects of drugs, alcohol or other substance likely to affect their driving they must inform their line manager immediately. They must not attempt to drive.
- Personnel must be aware of the effects of some prescribed drugs and/or alternative remedies and act upon the warnings given on the label or from a medical professional.
- They should inform their line manager when taking such medication.
- Any personnel who drive whilst under the influence of drugs and/or alcohol will be dealt with under the Service disciplinary procedure. For the purposes of this paragraph, 'drugs' includes any intoxicant other than alcohol. For more information refer to the Drug and Alcohol Abuse Policy.

### **Seat belts**

- Despite the exemptions which are provided for in the Motor Vehicles (Wearing of Seatbelts) Regulations 1993 all personnel driving or being conveyed in Service vehicles will wear seatbelts at all times. The only exceptions as stated in Paragraph 6(1)(f) of the Motor Vehicles (Wearing of Seat Belts) Regulations 1993 exempts personnel from the requirement to wear seat belts whilst driving or riding in a vehicle while it is being used for Fire Service purposes.

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- Seat belts are provided in all Service vehicles for the driver and all other seating positions. Seatbelts must be worn at all time the vehicle is moving unless the vehicle is reversing, at which point the driver may remove their seat belt to complete the manoeuvre.
- In vehicles responding to an incident and where personnel have rigged in BA prior to responding to an incident, they should not release the integral BA retaining system until the appliance has come to a complete stop upon arrival at the incident. This is not to be interpreted to mean that personnel are excused from wearing seat belts when responding to emergency call, as the BA retaining system is not an alternative means of seat belt protection.
- Rosenbauer helmets are fully compatible with the wearing of seat belts as per the technical guidance provided by the manufacturer.
- The Service Standard Operating Procedure (SOP) 1.2 Responding to Incidents states the following about dressing while responding to incidents:

*Dressing into fire kit whilst the appliance is moving and not wearing seat belts are potentially very dangerous activities.*

*Personnel must dress into fire kit prior to mounting the appliance whilst on station and responding to an incident. Seat belts must be worn all the time the appliance is moving. When mobile and a priority call is received, the appliance must be brought safely to a halt to allow personnel to don operational clothing and equipment. Alternatively, the vehicle should proceed to the incident and personnel will don operational clothing and equipment on arrival at the incident.”*

The following roles and responsibilities shall be adhered to:

- It is the wearer’s responsibility to ensure the seat belt is fastened.
- All occupants of a vehicle are to ensure that their seatbelts is fastened before the vehicle is moved.
- It is the wearer’s responsibility to ensure that the seatbelt is correctly adjusted.
- The driver and crew are to wear seatbelts at all times when the vehicle is moving.
- If a seat belt is defective, the normal defect reporting procedure is to be followed. It is an offence for a vehicle to be used if it has a defective seat belt, unless steps are being taken to have it repaired.
- Crew and Watch Managers also have a responsibility to ensure that seatbelts for all passengers and driver are worn prior to the vehicle moving.

### **Speed limits**

All posted speed limits must be strictly adhered to during non-responsive driving situations. Driving speeds must reflect conditions inherent to possible dangers by speeds being reduced to deal with all situations safely.

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It is an offence for any person driving a vehicle on a road to exceed the speed limit imposed. Failure to adhere to the Road Traffic Regulations Act may lead to a police prosecution and further action being taken by HFRS as appropriate.

Fire appliances or vehicles responding to an emergency call have an exemption to exceed the posted speed limit, however vehicles must not be driven in a manner that is careless, reckless or dangerous endangering the safety of the driver, passengers, other road users or animals. The driver of the vehicle must drive within their own capabilities and that of the vehicle being driven with emphasis being on arriving at their destination safely with no injuries being incurred or damage to the vehicle, commensurate with the training input given to students by the Driver Training Section when attending driving courses.

The decision to use the statutory exemption to exceed the posted speed limit, will be at the professional judgement of the individual concerned using a dynamic risk assessment, taking into account all risks.

Drivers must **DRIVE TO ARRIVE** in all situations.

You must be able to stop a vehicle at all times within the distance you can see to be safe and clear.

### On Call Personal

On-call personnel traveling from other locations to their workplace can use a variety of methods such as car, cycle, motor cycle and on foot. Serious injuries and fatalities have occurred involving personnel travelling in such circumstances. The risk of a road traffic collision is increased due to the perception of urgency by personnel and by other factors such as adverse weather conditions and time of day.

The potential for injury to this group arises from:

- Failure to obey road traffic regulations.
- Failure to observe and consider other vehicles due to the perceived urgency of response.

On-Call personal must drive with care and consideration for other road users. Personnel must not exceed the dedicated road speeds, drive recklessly or in a way likely to cause any danger to other road users.

Personnel are reminded that they **do not** have any exemptions from The Road Traffic Act 1984 whilst traveling to their place of work due to responding to an emergency call.

### Road Rage

Road Rage can vary in seriousness from an offensive gesture to severe physical violence and in many cases, it encompasses what is regarded as criminal behaviour.

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The likelihood for road rage to occur appears to have increased significantly in line with increased volumes of traffic and generally arises from frustrations associated with congestion and increased work demands. Whilst road rage is unacceptable behaviour it may be influenced in some instances by other drivers' bad driving practices.

When dealing with road rage the following guidelines should be followed:

- Remain calm and avoid becoming an offender yourself; plan sufficient time for your journey and don't become impatient or competitive with other road users.
- Don't offend other drivers; drive with consideration, within the law and with an awareness of other road users.
- Don't drive too close to other vehicles; allow at least a 2 - 3 second time interval between your car and the car ahead.
- Avoid braking suddenly and always signal your intentions.
- If you become aware that another driver is displaying aggressive behaviour keep as much distance as possible between you and the other driver and avoid reacting to them.
- Try to obtain help if you think an aggressive driver has targeted you; drive to a safe, populated place or ideally to a Police Station.
- Once you are stationary, if you have a mobile phone, call the Police and ask for urgent assistance if you feel endangered. If you don't have a mobile phone, use your horn to summon attention.
- Remain in your vehicle with the doors locked; do not get out of your vehicle at the roadside to confront other drivers.

### **Audible warning devices**

All emergency response vehicles must be fitted with audible warning devices. These audible warning devices will only be sounded when a vehicle is responding to an emergency call. The sounding of audible warning devices does not ensure right of way and it should not be assumed that other road users can hear it. Use on quiet roads or at night on empty roads serves no useful purpose nor indeed does it in traffic jams. Audible warning devices should not be used on vehicles or appliances proceeding on standby duties or on reliefs. Discretion should be exercised in their use in foggy weather.

### **Visible warnings**

Blue beacons and flashing lights are used for emergency purposes only. Flashing headlights, where fitted, will be used in daylight when proceeding to an emergency call.

### **Driving elsewhere other than roads**

No vehicle is to be driven on any land not forming part of a roadway without the driver first carrying a dynamic risk assessment.

### **Securing of loads**

The safe securing of any items carried in or on fire service vehicles remains the responsibility of the driver of the vehicle under the Road Traffic Act 1991, regardless of the class of vehicle, the use to which it is being put, or the nature of the items carried. The wording of the Act makes reference to a danger of injury to *any* person resulting from the manner in which an item is stored. This recognises that the danger from an insecure load is not just to members of the general public and other road users, but also includes our own personnel. It is therefore essential not only for Health and Safety reasons, but as a legal requirement upon the driver, that all items are correctly stowed within Service vehicles and that items are not carried if they cannot be safely secured.

Prior to using the vehicle drivers must:

- (i) Check the security of all items carried, especially those carried externally such as ladders and ladder gantries. Where specialist equipment is fitted, such as cranes or winches, the correct housing of cables and fittings must also be checked.
- (j) Remove those items that cannot be stowed safely. If these are items of operational equipment Service Control must be informed. If the vehicle is allocated to the Station/Section other than on a temporary basis, Emergency Services Fleet Management (ESFM) Ltd is to be informed so that bollarding or modification can be made to allow safe stowage. Once these modifications have been made, the continued suitability will form part of the standard test for the vehicle.
- (k) Check the security of all lockers and doors.

Whilst these routine checks can be relatively easily and quickly achieved for vehicles allocated to a Station, the checks will be necessarily longer for spare appliances and temporary replacements. Where a changeover requires the movement of a reserve appliance between Stations, checks must also be carried out by the driver delivering the appliance to the Station at which it is required and checked again by the driver accepting the vehicle following the changeover, prior to placing the appliance on the run.

**N.B. Where it has been identified that adjustments/modifications are required to a ladder gantry in order to securely mount the ladder, these must only be carried out by suitably qualified Emergency Services Fleet Management personnel. On no account must Operational personnel attempt to make these adjustments, modifications or attempt to remove fittings.**

### **Towing and loading**

Line managers will be responsible for ensuring that where towing or loading vehicles is involved, drivers hold the correct licence and have been appropriately trained to undertake these tasks legally and safely. Loads carried on racks will be checked for weight so as not to exceed the load limit of the rack or vehicle.

### **Penalties for driving offences**

Any member of the Service who as a result of any road traffic offence has any penalty awarded will inform the Chief Fire Officer and Line Manager immediately in writing. This requirement shall apply whether the offence was committed when the member was on or off duty.

Any notice of impending prosecution relating to speeding offences, for a Service vehicle, is received directly by the Fleet and Equipment section. The Section will interrogate the Telematics software in order to determine the driver responsible and follow through with any appropriate action.

### **Use of mobile devices while driving**

There is no exemption for Service personnel from the regulations which make it illegal to use a hand-held telephone or similar device while riding a motorcycle or driving a vehicle, including when stopped at traffic lights or queuing in traffic.

Riders or drivers can only use a hand-held telephone when they:

- are safely parked; or,
- need to call 999/112 in an emergency and it's unsafe or impractical to stop.

Use of hands-free telephones, satellite navigation aids and 2-way radios when riding or driving is allowed. However, if the police consider the rider or driver is distracted and not in control of the vehicle they are still likely to issue a fixed penalty notice.

Where vehicles have hands-free kit installed, drivers are permitted to receive **urgent voice calls only**. On receiving a call, the driver should inform the caller that they are driving and can only take a short message and make arrangements to return the call when they have found a safe place to pull over or when they arrive at their destination. Prolonged conversation **must not take place**.

Drivers needing to make a call or send a text message must first pull over to a safe place, switch off the engine, and then make the call or send the text message. For further guidance refer to Service Telephone Policy.

### **Driver's hours**

All drivers must comply with the EC Drivers Hours and Tachograph Rules for Goods Vehicles (Regulation 561/2006).

The regulations came into effect on the 11<sup>th</sup> April 2007 and apply to all vehicles over 3.5 tonnes in weight and passenger service vehicles with more than 9 seats. These are called "in-scope" vehicles.

Vehicles used by the Fire and Rescue Service (FRS) are exempted from the rules (providing the vehicle is owned by the FRS or hired without a driver and driven as a consequence of tasks assigned to the FRS).

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The rules therefore do not apply to Wholetime Duty System (WDS) Personnel employed to drive FRS vehicles.

The time spent on duty by personnel on the On-Call Duty System would count as other work (not rest) for the purpose of the driver's rules when they operate an in-scope vehicle in their primary employment.

On-call personnel, who drive in-scope vehicles as part of their primary employment, must abide by the strict rest and break requirements imposed through their primary employment which are:

- A maximum daily driving limit of 9 hours (extendable to 10 hours twice a week).
- A maximum weekly driving limit of 56 hours (and 90 hours during any two consecutive weeks).
- Rest breaks totalling 45 minutes must be taken at or before the end of 4½ hours driving.
- A driver must have 11 hours uninterrupted daily rest. This may be reduced to a minimum of 9 hours no more than three times between any two weekly rest periods.
- The daily rest can be taken in two periods, but the first period must be at least 3 hours and the last at least 9 hours.
- In any two consecutive weeks a driver should take two regular rest periods of at least 45 hours each or one regular weekly rest period and one reduced weekly rest period of at least 24 hours.
- A reduced weekly rest period must be compensated by an equivalent period of rest taken before the end of the third week following the week in which the reduction occurred. This means that a driver must have a weekly rest period of at least 24 hours which must be increased to at least 45 hours once a fortnight after no more than six days of driving.

The above obligations are applicable to drivers of in-scope vehicles even if they only drive them for short periods. This means that even if On-Call personnel drive an in-scope vehicle for a few hours a day, or a couple of days a week, he/she is still subject to all the rest requirements.

WDS employees who have approved secondary employment which involves driving in-scope vehicles may also be in contravention of the rules if, having driven Fire Service appliances, then drive in their secondary employment without having an adequate rest period.

Due to the complexity of the regulations, further information can be found on the VOSA website: [www.vosa.gov.uk](http://www.vosa.gov.uk)

### **Vehicle licence checks**

Humberside Fire & Rescue Service owes a duty of care towards its employees and the general public, to ensure that all personnel employed by the organisation who may have cause to drive service vehicles or drive their own vehicles for service use possess a relevant and valid driving licence.

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At the commencement of all driving assessments, driver training courses or when required by their line manager personnel will produce their licence for inspection as a check of validation to drive HFRS vehicles or lease/hire vehicles. Failure to do so will result in the training or assessment being cancelled and may result in driver being taken off driving duties until such time when licence details have been confirmed with the Driver Training Section.

This process not only protects the passengers in the vehicle but also the organisation from drivers who may be disqualified or driving with a fraudulent or invalid licence. Driving on an invalid licence invalidates any insurance cover and therefore puts the organisation, its personnel and the general public at risk.

The Service reserves the right to suspend employees from driving duties at any time.

Following a period of suspension, the service reserves the right to place additional conditions as appropriate on the individual prior to them being permitted to drive in connection with their service related duties.

Individuals returning to driving duties following a period of disqualification will not be permitted to undertake emergency response driving duties for a period to be determined following a risk assessment conducted by the Occupational Road Risk Group (Driver Training, Health and Safety, Occupational Health and Fleet and Equipment Section). However, during this time following a suitable nomination from the Line Manager and an assessment by a suitably qualified Driver Trainer, the individual may undertake routine driving duties in light vehicles.

### **Changes in circumstances**

It should be noted that the requirement to inform HFRS of any material changes is to ensure that personnel continue to be legally entitled to drive and be acceptable to HFRS's insurance provider. It is therefore important the insurers are informed of any material facts that may affect the willingness to provide insurance to any HFRS driver. Failure to do so may render the insurance of a particular driver invalid. Therefore, all Authority drivers must, without delay, notify the Authority, of any change in circumstances which is likely to be considered a material fact. The following are examples of material facts; please note the list is not exhaustive:

| <b>Material Fact</b>   | <b>Report to</b>   |
|--|--|
| Any physical or mental condition, illness, or infirmity, including diabetes, epilepsy or heart disease, likely to affect driving.  | Occupational Health  |
| Convictions for driving or vehicle offences.<br>Suspension or disqualification from driving.<br>Refusal of motor insurance or imposition of special conditions.<br>Addition of classes.<br>Any other material fact not listed. | Chief Fire Officer and Line Manager (who must subsequently report the facts to the Driving Centre Manager) |

Managers also have a duty to report any concerns relating to driving capability to the relevant department.

### **Driver assessment**

Any employee whose role requires that they drive Humberside Fire and Rescue Service owned, leased or hired vehicles must first be authorised by the Service Driver Training Section. Authority cannot be obtained in any other way nor will any such authority be granted retrospectively. This also includes those who use their own vehicles for Service business.

The light vehicle driving assessment should be used to provide employees with the knowledge, skills and understanding needed to help reduce and manage work related driving risks, as well as giving us the opportunity to provide input on such matters as accident procedures, completing vehicle routines and associated documents and “Eco Driving”. This demonstrates the Services commitment to increasing and maintaining high standards of driving.

#### (a) Flexi duty officer response

Due to the increased risks involved when responding to emergency calls all Flexi Duty Officers should meet the higher requirements of the DVLA LGV/PCV medical and should be tested by our Occupational Health Department on a 5 yearly basis from the age of 45 in line with the current LGV requirements.

Any Officer returning to response duties following a break of more than 6 months will be required to attend a refresher course.

#### (b) Re-Validation courses/re-assessment courses

All drivers (including FDS) trained in response driving will be subject to re-assessment every 3 years, any driver (including FDS) who does not complete a re-assessment within 3 years will then have the authority to respond revoked until successful completion of a re-assessment course provided by the Driver Training Section.

#### (c) Returning to driving duties

Persons who are returning to duty, regardless of role, after a period greater than six months will have their driving development needs identified by their line manager in conjunction with the Driver Training Supervisor. If an assessment is required it will include:

- A drive which is carried out at normal road speed whilst obeying all traffic regulations.
- Followed by emergency response drives which demonstrate all aspects of safe response driving.

On successful completion of these assessments the candidate can return to driving duties. Personnel who have exceeded 365 days of non-driving, will be subject to a re-assessment, prior to commencing response duties in order to identify any training

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requirements. This is in place to provide adequate training and assessment for personnel who may have been banned from driving or having been on extended absence.

### 5. VEHICLE BASED TELEMATICS

Telematics are fitted to the majority of the Service's vehicles to ensure HFRS maintains its ability to fully manage and monitor its vehicles utilising data to: promote sound business, maintain health & safety management and ensure that environmental issues are dealt with by reducing the Service's carbon footprint.

Every employee in the Service who is entitled to drive a Service vehicle, has been issued with a Dallas Key. Drivers must present this unique driver ID key to the in-cab sensor every time the vehicle is started. By presenting the driver ID key, the driver is;

- (a) Confirming that all the relevant checks have been completed according to the type of vehicle.
- (b) Ensuring that any faults, defects, damage or other vehicle issues are recorded and reported to the appropriate line manager as soon as reasonably practicable, ideally before use. This will ensure that the current driver will not be held responsible for any outstanding issues.

The driver ID key must only be used by the individual to whom it is issued. The telemetry system will be used to identify the previous driver where a fault, defect, damage or other issue has not been reported. By not reporting it can be taken that the responsibility lies with the previous driver and therefore that individual will be reported to their line manager for further investigations.

For more information see Provision and Use of Service Vehicles Policy.

### 6. ACCIDENTS

The driver of a motor vehicle involved in an accident causing damage or injury to any persons, vehicle, roadside furniture, or injury to animals, namely cattle, horse, ass, mule, pig, sheep, dog, or goat, must stop and if asked to do so, give their name, the name and address of the owner of the vehicle and also the registration marks of the vehicle and particulars of their insurance to any persons having reasonable grounds to request them. If for any reason these particulars are not given at the time of the accident, then the accident must be reported to the Police as soon as reasonably practical and in any case within twenty-four hours of its occurrence. The report must be made by the driver of the vehicle in person at a Police Station or to a Constable.

**NOTE:** *No liability for the accident should be admitted.*

Irrespective of the exchanging of details at an accident, if anyone is injured, the accident must be reported to the Police as soon as possible and in any case within twenty-four

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hours. The Police may require sight of the vehicle's documents within five days. These are available from the Fleet and Equipment Section.

When the accident occurs, the person in charge of the appliance or vehicle is to make every effort to obtain the names and addresses of witnesses. Neglect of this action will tend to place the Service at a disadvantage in dealing with claims.

### **Accidents whilst Responding to a Call**

It is required by the Road Traffic Act 1988 that the exchange of information following any accident is given by the driver of the vehicle. The information to be given to other drivers involved and/or the Police his/her name and address, the Service's name and address, the vehicle registration mark and insurance details.

The officer in charge of the Service vehicle will immediately inform Service Control of the accident and request that a further Service vehicle be despatched to the occurrence. The Service personnel involved, if able, will render assistance to others who may require it, request any assistance, note the position of the vehicles involved and note any road markings.

After completing an assessment of the situation, assisting the driver to give the necessary information and ensuring the appliance is roadworthy, the Officer in Charge may decide to proceed to the original occurrence and inform Service Control, who will decide if that attendance is required or otherwise.

Where persons are injured due to an accident involving a Service vehicle every attention must be given immediately to those persons and in the absence of the Police the Officer in Charge of the Service vehicle must arrange for the attendance of an ambulance, if necessary.

### **Accident Reporting Procedure**

Following an accident, the Accident Report form should be completed on the electronic vehicle defect system (Tranman) available on the Service Intranet, as well as completing the relevant section on the electronic Health and Safety accident reporting system as soon as the vehicle/appliance returns to station by the driver of the vehicle involved. Any relevant statements from witnesses, sent to their Station Manager/Section Head within 24 hours of the incident.

If there are any defects/damage to the Service vehicle, again this is to be reported on the Tranman system as normal.

### **Damage to Property caused by a Fire Service Vehicle (excluding Motor Vehicles)**

Where damage is sustained to property, whether it is the property of the Service or of third parties, the same procedure as laid out in paragraph above (Accident Reporting Procedure) is to be followed. In the case of road furniture being involved, i.e. traffic bollards, barriers, etc.; the Police must also be informed as soon as possible and in any case within 24 hours.

## **Statements**

Liability must not be admitted, nor any question of blame discussed by any member of the Service at the time of accident.

Drivers should note that whilst they are not obliged to make any statement to a Police Officer, it may be in their interest to do so. If such a statement is to be volunteered another member of staff should be present during the interview and a copy of the statement attached to the accident report and forwarded to their line manager.

Personnel are reminded that they are not bound to answer any question which may tend to incriminate them and that any statement given to the Police may be taken down and used in evidence in the event of prosecution.

Under no circumstances is a member of the Service to be interviewed about an accident by a representative of any Company except by permission of the Chief Fire Officer and Chief Executive. Should a representative visit a Service premises with regard to an accident, no statement as to the cause of the accident is to be expressed or given, but every facility is to be afforded to the representatives concerned to take particulars of any damage.

## **Accident Investigation**

Once the electronic Health and Safety accident report is submitted (as in the paragraph, Accident Reporting Procedure, above) the system administrator will designate the appropriate section head. The section head will then carry out an investigation and update the accident investigation.

## **Letters or Notices Regarding Accidents**

All letters received concerning accidents involving Service vehicles must be forwarded to the Fleet and Equipment Section via the Station Manager/Section Head. Any questionnaires should be completed in pencil before forwarding to Service Headquarters.

Notices of Intended Prosecution received by personnel following an accident or any other driving offence committed in a Fire Service vehicle should be forwarded to the Chief Fire Officer and Chief Executive via the Emergency Response Group Manager as soon as possible.

## **Records**

Engine powered equipment is issued with Engine Powered Log Sheets. Whenever an item of engine powered equipment is used it is the responsibility of the driver or operator to make and sign an appropriate entry in the Log Sheet to indicate the following:

- (a) Date of use.
- (b) The purpose for which the engine powered equipment was used for.
- (c) The amount of fuel or oil issued.
- (d) Running time.

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- (e) Signature and service number of the operator.
- (f) Initials of manager.
- (g) Any defects will be entered in the appropriate section and a Tranman defect raised for the equipment.

## **7. CCTV**

CCTV will be used in accordance with the requirements of the relevant legislation for the principal purposes of protecting operational employees against attacks or abusive behaviour or collecting information to assist in incident debriefing and identifying training requirements. CCTV will not be used for covert surveillance and may not be used to instigate any conduct & performance proceedings. However, recordings may be used corroboratively with investigations e.g. a complaint against the Service. For more information click. (see Service CCTV Policy)

## **8. TRAFFIC REGULATIONS (EXEMPTIONS FOR FIRE SERVICE VEHICLES ATTENDING EMERGENCY INCIDENTS)**

### (a) General

It should be noted that this section is confined to provisions which affect the use of Service vehicles responding to incidents and is primarily concerned with discretion granted to drivers. It is offered as a guide to the provisions which exist and is not intended to provide a definitive interpretation of the law which remains the prerogative of the courts. It is not intended as a substitute for the advice available to Fire Authorities from their own legal departments.

### (b) Road Traffic Law and the Use of Fire Service Vehicles

With certain exceptions, Fire Service drivers are subject to the provisions of road traffic law. In particular, there is no exemption from the provisions governing dangerous driving, driving on the footway or verge, driving without reasonable consideration for others, stopping to report an accident, ignoring 'stop' signs or dangerous parking. Nor are exemptions included in local traffic orders relating to one-way traffic routes and prohibition of right and left turns. When there are special provisions for the Fire Service, it is normally prescribed that drivers may take advantage of them. However, *it is the individual driver's responsibility to make a suitable and sufficient risk assessment as to the nature of their response using their professional judgement and only when it is necessary and safe to do so; the Fire Service driver remains responsible for the safety of the vehicle and for not endangering others.*

On their way to an incident Fire Service drivers may exercise discretion to take advantage of the provisions of traffic law summarised below under the conditions specified.

When a message from control is required and acknowledged stating that the appliance is not required then the driver of the vehicle, if safe to do so should reduce the speed of the vehicle to the prescribed speed limit and then switch off firstly the audible warning and then the visual warning devices. There may be

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exceptions were an FDS Officer decides to proceed to the incident taking advantage of the provisions of the exception in their capacity to fulfil their operational role. However, these actions must be quantifiable if challenged both professionally and legally.

(i) Speed limits may be exceeded where observance would be likely to hinder the purpose for which the vehicle is being used on that occasion (S87 (1) of the Road Traffic Act 1984). Whilst exempt from adhering to speed limits when responding to an emergency call, there still remains a statutory requirement to maintain safety margins – legal exemptions for Fire Service drivers do not include driving at a speed or in a manner which is dangerous, nor driving in a manner which would amount to driving without due care and attention.

(ii) Red lights

In this case the Service Instruction varies from the relevant legislation, which states that a red traffic light may be treated as a 'Give Way' sign when observance would hinder the purpose for which the vehicle is being used and provided that no danger is caused to other road users and that the driver of another vehicle is not caused to change speed, or course, to avoid an accident, according to Regulation 36(1)(b) of the Traffic Signs Regulations and General Directions 2002. It also states that taking advantage of this exemption is likely to bring a Fire Service vehicle into conflict with other road users including pedestrians, and it will always be necessary to reduce speed and use warning horns or bells as well as warning lights whilst doing so.

When proceeding past a red signal it should be treated as a **STOP** or **GIVE WAY** sign and no attempt should be made to proceed until the driver is certain that the way is clear.

This ruling, subject to the same conditions, also applies to red motorway stop lights mounted on matrix-type signals by virtue of Regulation 38(a) (b) of the same regulations. No such exemption applies to red stop signals at pelican crossings or to alternately flashing red signals mounted side by side at railway level crossings and certain other places.

(iii) Keep left (or right) white diagonal direction arrows on a blue circular background may be passed on the side opposite to that indicated by an arrow provided that this is not likely to cause danger to any other road users and when observance would hinder the purpose for which the vehicle is being used (Regulation 15(1) of the Traffic Sign Regulations and General Directions 2002).

(iv) sirens may be fitted on vehicles used for Fire Service purposes (Regulation 99 of the Road Vehicle (Construction and Use) Regulations 1986). Continuous use may be justified in heavy traffic conditions; otherwise it may be necessary to use them only when other road users need to be warned of the presence of the vehicle.

(v) **Audible warning instruments may be used between 2330 and 0700 hours** if it is necessary or desirable to indicate urgency or warn others of

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the presence of the vehicle (Regulation 99 of the Road Vehicle (Construction and Use) Regulations 1986).

- (vi) One or more lamps showing a blue warning light may be carried on vehicles used for Fire Service purposes. (Regulation 16 of the Road Vehicle Lighting Regulations 1989) Blue front facing lights and blue flashing beacons should be used when proceeding to an incident.
- (vii) Driving a vehicle other than on a road is permissible for the saving of life or extinguishing a fire or meeting any other like emergency (S34 (4) of the Road Traffic Act 1988).

(c) Motorways

There is a general exemption from the statutory provisions which affect driving and stopping on motorways. This exemption states that any person may use a motorway in exercise of their duty as a member of a Fire Service otherwise than in accordance with the provisions of Motorway Regulations 1982 (Regulation 16(1)(d) of the Motorway Traffic (England and Wales) Regulations 1982 and Regulation 14 of the Motorway Traffic (Scotland) Regulations 1964). This permits for example stopping on a carriageway, and driving backwards. Clearly in the dangerous traffic conditions on a motorway advantage should only be taken of this exemption so as to cause as little danger or inconvenience as possible, and manoeuvres involving movement against the flow of traffic must only be undertaken with the assistance of the police.

(d) Parking at an incident

A further series of provisions applies when a vehicle stops or parks at an incident. These exemptions apply under the following conditions:

- (i) A vehicle being used for Fire Service purposes may stop in the controlled area alongside double white lines (Regulation 26 of the Traffic signs and Regulations and General Directions 2002).
- (ii) The regulations do not permit the crossing of white lines except, provided the road is clear, to gain access to premises or a side road, to pass a stationary vehicle, or overtake a pedal cycle, horse or road maintenance vehicle if they are travelling at 10 mph (16 km/h) or less, or to comply with police directions.
- (iii) A vehicle being used for Fire Service purposes may stop in a controlled area adjacent to a zebra crossing or a pelican crossing for so long as may be necessary if it cannot be used for such a purpose without stopping there (Regulation 20 (2) of the Zebra, Pelican and Puffin Pedestrian Crossing Regulations 1997).
- (iv) Where the engine of a Fire Service vehicle is being used for any firefighting purpose the engine need not be stopped whilst the vehicle is parked (Regulation 107 of the Road Vehicles (Construction and Use) Regulations 1986).
- (v) A heavy commercial vehicle (i.e. a goods vehicle with an operating weight exceeding 7.5 tonnes) may be parked on a footway, verge or central reservation to save life, extinguish a fire or meet a like emergency (S19

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(2) of the Road Traffic Act 1988). This permits Fire Service vehicles and other heavy commercial vehicles used for Fire Service purposes to be parked in those places.

- (vi) Rear fog lamps may be used on a vehicle being used for Fire Service purposes when it is parked (Regulation 27(3) of the Road Vehicle Lighting Regulations 1989. The driver should use personal judgement as to when conditions require rear fog lamps to be left on in the interests of road safety.
- (vii) 'At night a vehicle being used for Fire Service purposes may be parked other than with the left or nearside of the vehicle at the side of the road' if compliance with that requirement would hinder the purpose for which the vehicle is being (Regulation 101 (2) of the Road Vehicle (Construction and Use) Regulations 1986.

(e) Seat Belts

Paragraph 6(1)(f) of the Motor Vehicles (Wearing of Seat Belts) Regulations 1993 exempts personnel from the requirement to wear seat belts whilst driving or riding in a vehicle while it is being used for Fire Service purposes

This exemption is not adopted by HFRS under any circumstances, and seatbelts will be worn at all times the vehicle is moving unless the vehicle is reversing, at which point the driver may remove their seat belt to complete the manoeuvre.

(For further guidance for proceeding to emergencies see SOP 1.2 Responding to Incidents)

(f) Local Restriction

Special provisions for Fire Service vehicles are normally included in local traffic orders which impose restrictions on parking. The Department of Transport advises highway authorities to make special provision of this kind but the terms of each local order need to be examined to establish what exemptions are actually made. Exemptions for Fire Service vehicles whilst proceeding to an incident or engaged in firefighting normally permits:

Stopping on a clearway.

- (ii) U turns where they are otherwise prohibited.
- (iii) Entering a bus lane or street otherwise reserved for buses.
- (iv) Entering a pedestrian zone.
- (v) Parking where there are yellow lines indicating waiting and loading restriction

**Reversing vehicles**

(a) Introduction

One of the most difficult manoeuvres is that of reversing, especially in confined areas. The higher the speed the more difficult it is to steer accurately. It is therefore essential that any reversing is carried out at a slow speed with delicate

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use of the clutch, accelerator and brake pedals. It must be borne in mind that the brakes may be less effective when the vehicle is in reverse.

(b) Driver's Responsibilities

(i) Before Reversing the driver should:

- (1) Scan the area for obstructions and suitability of chosen area.
- (2) Ensure that all windows are clear and unobstructed view is available.
- (3) Ensure that there is adequate clearance both behind and in front of the vehicle, before commencing reversing manoeuvres.
- (4) Having seen the area, consider the necessity of a guide irrespective of the type of vehicle to be moved.
- (5) That where possible the assistance of more than one guide may be necessary whilst reversing in confined or awkward conditions.
- (6) In all cases where LGV's are reversed or any other vehicle from which the rearward view is impeded, a guide is compulsory.
- (7) Ensure that a window is open, so any audible warning given by the guide can be heard.

(ii) When Reversing

Travel slowly. With automatic gear boxes the speed may be controlled by use of the brake.

- (2) Remember that as the steering is turned the front of the vehicle moves out and may strike nearby objects.
- (3) Keep checking in all directions to ensure that every area of potential danger is observed.
- (4) In poor visibility and with the absence of reversing lights illuminate the area to the rear of the vehicle by using the brake lights, hazard warning lights or directional indicators, taking care not to mislead other road users.
- (5) Keep listening for audible warnings from guide. Difficulty will be experienced hearing such warnings above engine noise and reversing warning tones.

(c) Guide's Responsibility

Persons acting as guides to drivers have responsibility for the safety of people in the vicinity, the vehicle and themselves. They should therefore adopt the following procedure:

- (i) Make sure that they fully understand the instructions given to them by the driver and ensure that they understand the signals to be used, particularly

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stop signal (see Appendix A - Hand Signals for the Guidance of Drivers when Reversing).

- (ii) Guides should position themselves where they can be clearly seen by the driver but are themselves well clear of the reversing vehicle and others in the vicinity.

Signals may be given from the front or rear of the vehicle depending on the conditions at the time. It is important however that guide be positioned at the rear and to the side of the vehicle when reversing towards other vehicles, pedestrians, road furniture and buildings.

- (iii) All guidance signals must be given clearly and with sufficient time to allow the driver to react with the appropriate actions. Again this is of particular importance when giving the stop signal.
- (iv) That driver and guides have co-responsibility for all manoeuvres undertaken.

(d) Lone Drivers

Should a situation arise whereby a lone driver (i.e. a vehicle staffed by one person only) is required to undertake a reverse manoeuvre or a slow speed forward manoeuvre in a vehicle from which the rearward view is impeded then the driver must seek the assistance of any available guides. Where there are no available guides, it is advisable for the driver to thoroughly risk assess the manoeuvre before commencing.

**21: VEHICLE SECURITY**

For more information on vehicle security refer to the Service Security Policy.

**22: PROVISION AND USE OF VEHICLES**

This policy works in conjunction with Provision and Use of Service Vehicles Policy.

**If you require further guidance on this document, please contact the  
Health, Safety & Environment Section**

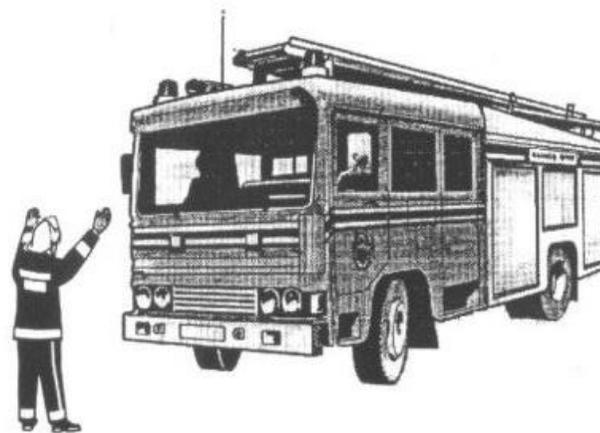
## APPENDIX A

### HAND SIGNALS FOR THE GUIDANCE OF DRIVERS WHEN REVERSING



#### 1. ADVANCE

Use the right hand and forearm vertically, palm away from the driver 'drawing' the vehicle onwards and calling 'come on' if necessary.



#### 2. REVERSE

Use both hands and forearms with palms facing the driver 'pushing' the vehicle back and calling 'go on' if necessary.



APPENDIX A (cont)



3. CHANGE DIRECTION

Extend arm and clenched fist sideways from the shoulder in the direction the REAR of the vehicle is to be steered



4. STOP

Raise the right hand and arm vertically, palm facing the driver, fingers extended but together.

Shout 'STOP' loud and clear.



APPENDIX A (cont)



5. CLEARANCE

Raise arms above head, palms inwards' indicating amount of clearance between vehicle and loading bay, obstacles, etc.

