



# Occupational Road Risk Consequences and Solutions

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# Occupational Road Risk Consequences and Solutions

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# Occupational Road Risk

What is it?

- Driving undertaken during the course of employment.
- Travelling in between work places
- Sales and executive functions, as well as distribution.



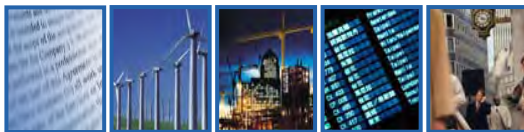
# Occupational Road Risk

Why all the fuss?

*“Just as employers would make sure that employees are safe in the workplace, so they should whilst they are on the road. Businesses must ... realise that they are responsible for employees’ welfare when on the road for business purposes...”*

Chief Superintendent Mark Bird

Metropolitan Police Traffic Unit



# Occupational Road Risk

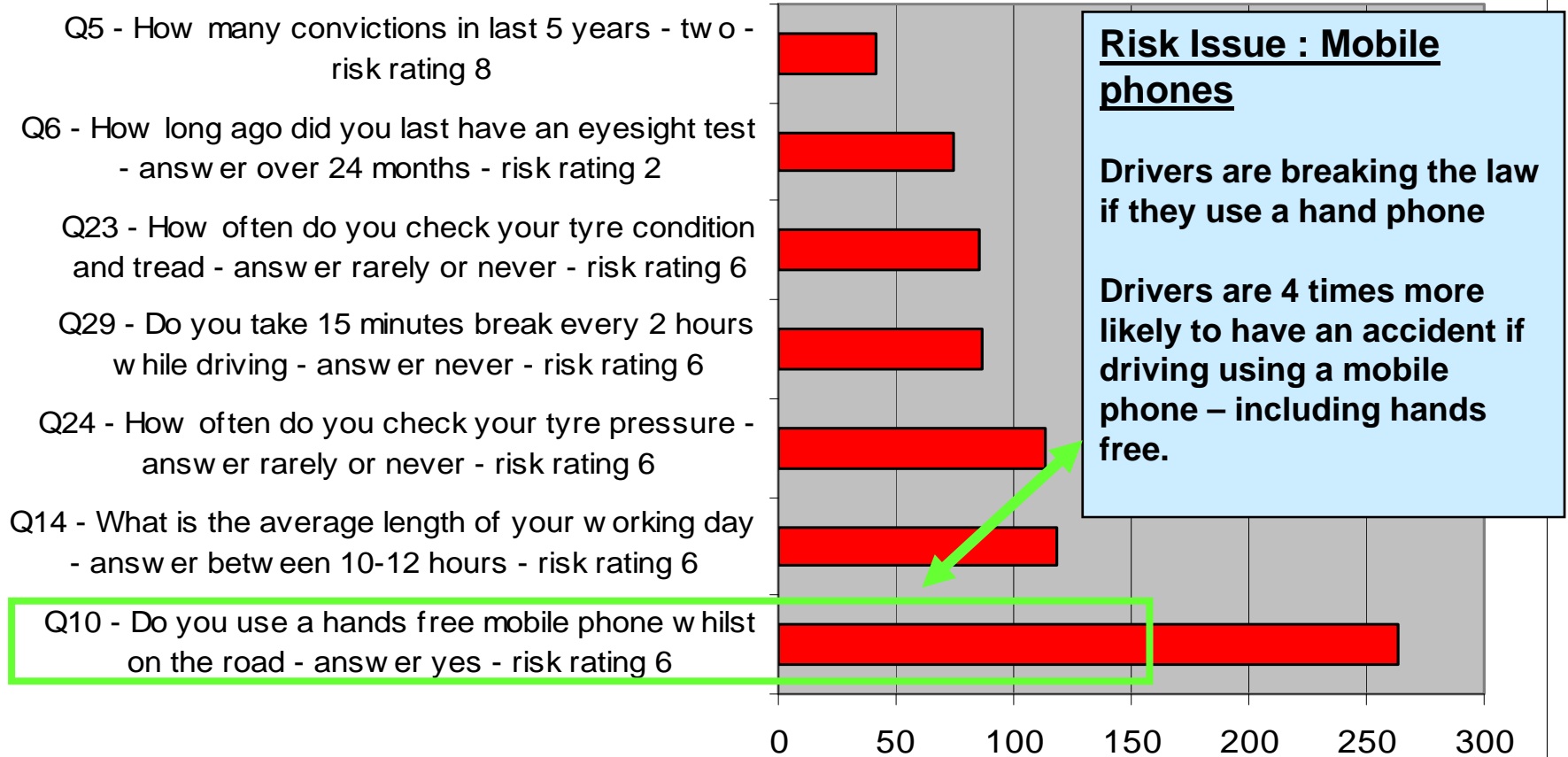
## Statistics:

- 1/3 of all RTAs involve someone at work at the time
- 20 fatal and 250 serious injury accidents a week
- Particular risk to distributors and road haulage operators but not exclusively so.



# Occupational Road Risk

## Top 7 risks compared based on Risk Assessments



# Corporate Manslaughter

What is it?

- New offence from 6 April 2008
- Applicable to companies, not individuals
- Makes prosecutions easier to pursue
- Introduces tough new penalties



# Corporate Manslaughter

## Penalties:

- Remedial Orders
- Publicity Order
- Fines



# Corporate Manslaughter

## Composite Elements:

- The way in which senior management manage or organise the companies activities, plays a substantial part in a gross breach of a relevant duty of care owed to an individual, that breach of duty going on to cause the individual's death.
- S.40 HSWA 1974 – Burden of proof is on the Defendant.



# Corporate Manslaughter

## Business vulnerabilities:

- Construction accidents
- Machine related accidents
- Moving vehicle/transport accidents
- Plant related accidents – employees and visitors
- Occupational Road Risk



# Corporate Manslaughter

## Director prosecutions:

- Prosecution of Directors under s.37 HSWA 1974
- Prosecution of individuals under s.7
- Continuing application along side the CMA 2007



# Practical Solutions

The conventional approach:

- Identify who might be harmed
- Evaluate the risks
- Record the findings
- Review and revise
- Start the process all over again



# Practical Solutions

## Driving specific solutions:

- Cut down / eliminate driving
- Formulate a policy and appoint a manager
- Vehicle selection, inspection
- Driver licence, health and capability reviews
- Driver rules, training, supervision and enforcement
- Technology



# Practical Solutions

The need for comprehensive instruction:



In November 2007, Home Office Minister Liam Byrne was fined £100 after admitting using his mobile phone while driving. Mr Byrne tabled a petition in 2005 from constituents calling for tougher penalties for dangerous drivers which he had labelled “serial potential killers”

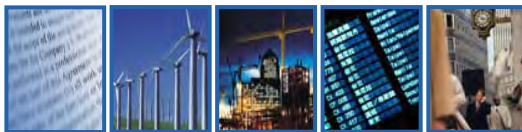


# Practical Solutions

## Motivators:

- Mobile phone driving jail threat – calls and texts under new guidelines for England & Wales.
- Existing practical examples:

19 – year - old Rachel Begg received 4 year sentence for causing a fatality in November 2006, killing grandmother Maureen Waite after using her mobile phone for texts and calls whilst travelling at 70 mph.



# Practical Solutions

## Benefits from controlling ORR:

- Reduction in risk
- Control of cost
- Training and vehicle purchase
- Brand protection
- Business protection
- Fuel economy



# Practical Solutions

## Resources:

- [www.hse.gov.uk](http://www.hse.gov.uk)
- [www.rospa.com](http://www.rospa.com)
- Vizards Wyeth
  - [www.advantagehs.co.uk](http://www.advantagehs.co.uk)

