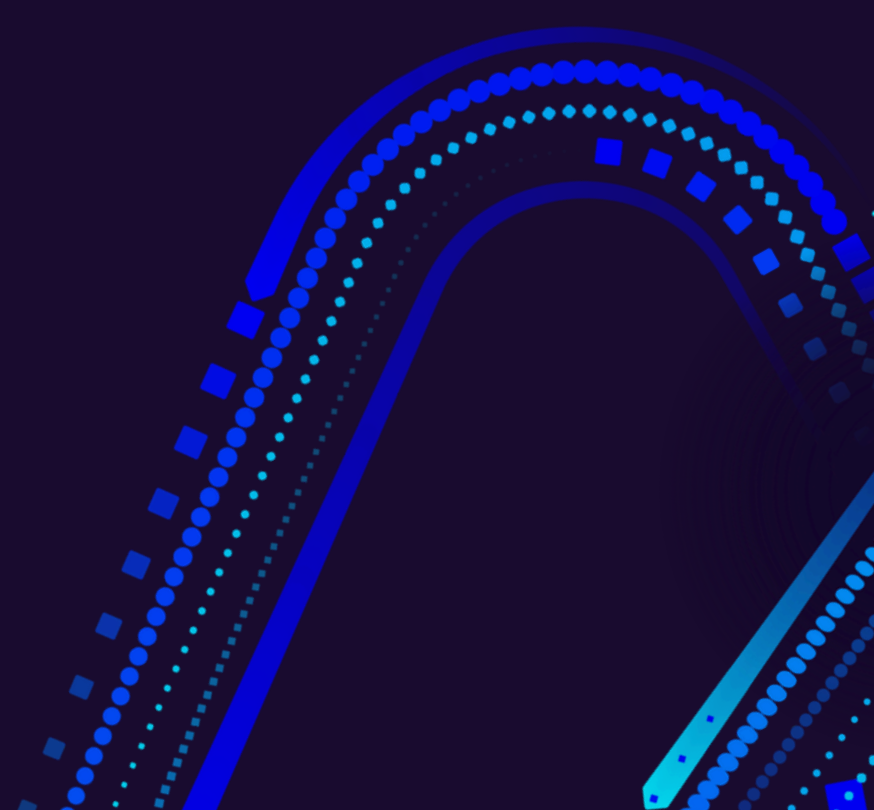




Part of the TTC Group

Whitepaper

How a fleet and driver risk management programme delivers tangible business benefits





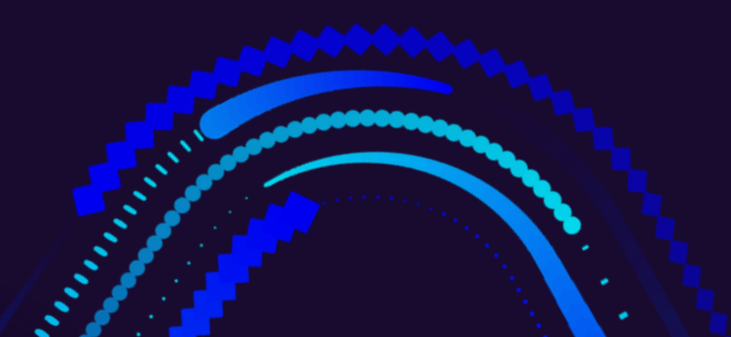
About TTC

TTC, the trusted training and compliance expert, is a leading provider of road safety training and services, educating 700,000 road users annually.

For businesses, we provide services to reduce fleet operating costs and risks by improving driver safety and compliance with the law. Our services are available to companies with commercial vehicles, PCVs, fleet vehicles and grey fleet drivers.

We are appointed by 15 UK police forces to deliver retraining for 'speeding' and 'drink drive' offenders under the National Driver Offender Retraining Scheme (NDORS) and the Drink Drive Rehabilitation Scheme (DDRS) across the UK. Our training services extend to other vulnerable road users. We are the largest cycle training provider offering programmes for businesses and the nationally recognised 'Bikeability' and 'Balanceability' courses.

Our services are Quality Assured to the highest international standards. We are one of only a handful of UK organisations to have been awarded the ISO:39001 Road Traffic Safety Management System accreditation.



How a fleet and driver risk management programme delivers tangible business benefits

Driving is one of the most dangerous activities many of us undertake every day. Driving for work involves additional risks; that's why the Health and Safety Executive explicitly says employers have a legal duty of care to any of their employees who drive 'at work', irrespective of the vehicle's ownership.



29%

of fatal crashes in Britain involved someone driving for work

Key highlights

- As of 2019, road traffic crashes are the leading killer of children and youth aged **5 to 29 years** and are the **12th** leading cause of death when all ages are considered.
- It is estimated that between **40-60%** of all work accidents resulting in death in the EU are road crashes while using the road for work and while commuting.
- More deaths occur from road travel whilst working than at the workplace.
- Almost **1 in 3 (29%)** fatal crashes and **1 in 5 (21%)** casualties, in Britain, involve someone driving for work.
- The pillars of work-related road safety are road safety laws, health and safety legal compliance, the impact of crashes on staff well-being, the cost of crashes to business and the maintenance of brand reputation.
- It is an offence for a person to cause or permit another person to drive without a legal driving licence.
- It is estimated around **800,000** people drive without legal licences.
- Health and Safety legislation extends to work-related driving, as cars and vans used for business are now legally considered to be an extension of the workplace.
- Health and Safety fines have increased since new guidelines were introduced in **February 2016**.
- People who drive hire cars, or their own private vehicle for work (the grey fleet), should all be included in any fleet risk management programme.
- The hidden costs of a collision could be between **4 and 32** times the 'bent metal' costs.
- Implementing a road risk programme can bring significant, tangible and financial business benefits.

Driving for work – the International, European and GB perspective

International perspective

Driving a vehicle is, without doubt, the most dangerous activity that millions and millions of people in the world undertake on a regular basis.

The World Health Organisation (WHO) states “There were an estimated 1.19 million road traffic deaths in 2021 – a 5% drop when compared to the 1.25 million deaths in 2010... This shows that efforts to improve road safety are working but fall far short of what is needed to meet the target of the United Nations Decade of Action for Road Safety 2021–2030 to halve deaths by 2030... As of 2019, road traffic crashes are the leading killer of children and youth aged 5 to 29 years and are the 12th leading cause of death when all ages are considered.”

In addition, Brake estimates that “road crashes cause between 20 – 50 million non-fatal injuries around the world, every year” with half of casualties being vulnerable road users such as pedestrians and cyclists. Many of those casualties suffer life-changing injuries with long lasting effects. These losses take a huge toll on close relatives, wider families and broader communities. In all countries around the world, the cost of emergency response, health care and human grief is immense.

“Often, it is other road users and passengers of an at-work driver who is killed or injured... in 2018, 520 people died in collisions involving a driver or rider driving for work. Only 12% of those who died were the working driver or rider themselves. 5% of the fatalities were passengers of a driver driving for work, while 83% of those killed were non-working road-users.”

Looking specifically at work-related road deaths, the European Commission report, *Work-related Road Safety 2015* confirmed: “The EU Strategic Framework on Health and Safety at Work 2014-2020 states that every year in the EU more than 4,000 workers die due to accidents at work and more than three million workers are victims of a serious accident at work leading to an absence from work of more than three days. Work-related motor vehicle crashes are a leading cause of death and long-term injury in the workplace and in driving associated with work. While systematic monitoring of work-related road deaths and serious injuries for the EU as a whole is lacking, it is estimated that between 40-60% of all work accidents resulting in death are road crashes while using the road for work and while commuting.

The impact in Britain

Britain has worked hard over the last decade or so to reduce casualties on our roads, mainly by investing in the 3 ‘Es’ of road safety.

These are:

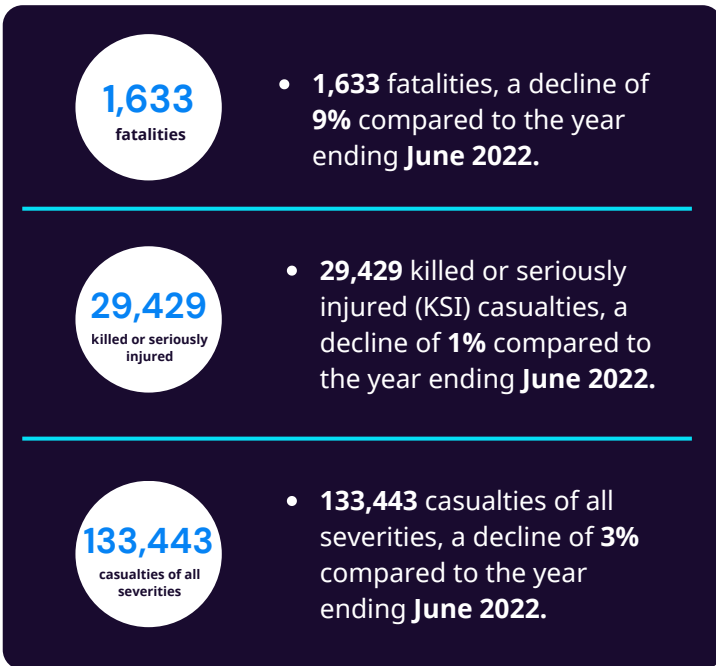
- **Engineering** – of roads and vehicles.
- **Enforcement** – of road traffic laws, especially of excessive or inappropriate speed, hand-held mobile phone use or drink/drug driving.
- **Education** – offering additional education to driving offenders or people involved in crashes, so the risk for all road users is reduced.

As of 2022, Britain has the fourth lowest road death rate in the world, at 26 deaths per million population. As detailed in the Department for Transport’s latest International Comparisons of Road Deaths, Norway has the lowest death rate, at 21 deaths per million population – almost 20% lower than the figure for the UK.

GB road death statistics

Over the last two decades, the number of fatalities on the road in Great Britain has reduced by more than half – from 3,431 in 2002 to 1,711 in 2022 (the latest figures available). Figures have remained around 1,700 deaths per year since 2011.

The Government estimates¹⁰ that in the 12 months to June 2023, there were:



While the significant reduction in deaths on UK roads is encouraging, almost five people have been killed on our roads every day for the past ten years. That is far too many people losing their lives, and the number having stagnated rather than continuing to fall is a serious concern.

Businesses can play a role in reducing death and injury on our roads. It's estimated about 1 in 3 (31%) fatal crashes and 1 in 4 (26%) serious injury crashes in Britain involve someone driving for work. That's around 500 people killed every year and over 10 times that number seriously injured. Fleet News, in their 'Business of Safety and Risk report' states:

"Often, it is other road users and passengers of an at-work driver who are killed or injured. In 2016, they made up around 85% of those killed and almost 70% of casualties in work-related crashes."

According to the latest figures available, there are around 520 fatalities in collisions involving a driver/rider driving for work each year. Of these 12% are working drivers, 5% are passengers (of a driver driving for work) and 83% are other road users. If businesses could help their drivers be safer on the roads, it could lead to a dramatic improvement in the death and injury toll.

There are several pillars supporting driving for work road safety. These are health and safety compliance, the impact of crashes on staff well-being, the cost of crashes to business and the maintenance of brand reputation.

The banner under which organisations manage these risks is 'Fleet and Driver Risk Management'.



1 in 3

fatal crashes involve someone driving for work

Managing fleet and driver risk

In the UK, driving for work activities are covered by many different pieces of legislation that cover the company, its directors, staff and drivers:

- Corporate Manslaughter and Corporate Homicide Act 2007
- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Management of Health and Safety at Work Regulations 1999
- Health and Safety Offences Act 2008 • Road Traffic Act 199
- Road Safety Act 2006
- Road Vehicles (Construction and Use) Regulations 1986 & 2003
- Carriage of Dangerous Goods Regulations 2009
- The Motor Vehicles (Driving Licences) Regulations 1999

To comply with all this legislation:

- The company must not do anything which puts drivers at risk.
- The company's work-related driving activities must not endanger other road users.
- Directors must put appropriate policies and procedures in place to ensure this happens.
- All employees must follow those policies and procedures at all times.
- Drivers must follow the guidance in the Highway Code.

Corporate manslaughter

One of the most high-profile pieces of road safety-related legislation is the Corporate Manslaughter and Corporate Homicide Act 2007. Since the introduction of this Act, there have been more than 30 convictions, of which 1 was directly related to Corporate Manslaughter (road safety). This was Baldwins Crane Hire Ltd, where a driver, Lindsay Easton, died when driving a crane which crashed into an earth bank in 2011. The vehicle's brakes had failed. The company was fined £700,000 plus costs in December 2015 and the incident was well publicised.

However, several other laws also apply to the driving task. For example, in January 2017 a haulage boss and his mechanic were both jailed after being found guilty of manslaughter when a tipper truck crashed in Bath killing 4 people following brake failure; the driver was cleared of dangerous and careless driving. Secondly, in March 2017, the driver of a bin lorry, which crashed in Glasgow killing 6 people, was banned from the roads for 3 years after admitting 'culpably and recklessly' driving a vehicle (car) to the danger of the public. In November 2018, Midland Red (South) Ltd were fined £2.3 million under health and safety legislation, after a bus driver drove into a Sainsbury's supermarket killing 2 people.





Licence compliance

It is an offence under the current **Road Traffic Act** Section 87 4 for an employer to allow an employee to drive a car or motor vehicle without the correct driving licence.

Road Traffic Act 1988 Part III: Requirement to hold licence

It is an offence under the current **Road Traffic Act** Section 87 4 for an employer to allow an employee to drive a car or motor vehicle without the correct driving licence.

- It is an offence for a person to drive on a road a motor vehicle of any class otherwise than in accordance with a licence authorising him to drive a motor vehicle of that class.
- It is an offence for a person to cause or permit another person to drive on a road a motor vehicle of any class otherwise than in accordance with a licence authorising that other person to drive a motor vehicle of that class.

As a result of the cause or permit statement, many companies now check their drivers' licences against the DVLA database. While there are no officially published statistics, according to research it is estimated that around 800,000 people drive without legal licences.

If one of your drivers is driving illegally, then it's likely your fleet insurance will prove invalid if they crash. As a result, if they are involved in a serious incident while driving on your behalf, you would need to cover claim costs from your day-to-day business – and those costs could be millions of pounds.

Drivers of large goods and passenger-carrying vehicles must also periodically undertake Driver Certificate of Professional Competence (DCPC) training, where they must complete 35 hours of JAAPT-approved training every 5 years. To demonstrate compliance, the driver must hold a 'driver qualification card' or 'DQC.' Those who drive professionally and fail to produce a DQC when asked by the police of DVSA can be issued with a £50 fixed penalty.

Health and safety compliance

As the Health and Safety Executive guidance for Driving and Riding Safely for Work⁶ states, “As an employer, you must manage health and safety risks to workers who drive a vehicle or ride a motorcycle, other powered two-wheeler or bicycle on the road as part of a work activity.”

Health and Safety Executive guidance also confirms: “The Health and Safety at Work etc Act 1974 requires employers to take appropriate steps to ensure the health and safety of their employees and others who may be affected by their activities when at work. This includes the time when they are driving or riding at work, whether this is in a company or hired vehicle, or in the employee’s own vehicle.”

To ‘take appropriate steps’ means balancing the level of risk against the measures needed to control the real risk in terms of money, time or trouble. However, you do not need to act if it would be grossly disproportionate to the level of risk.

If you employ 5 or more people, the management of health and safety at Work Regulations 1999 requires you to manage health and safety effectively. The Health and Safety Executive is very clear this legislation extends to work-related driving, as cars and vans used for business are now legally considered to be an extension of the workplace.

You must carry out an assessment of the risks to the health and safety of your employees, while they are at work, and to other people who may be affected by your organisation’s work activities. Even if you employ fewer than 5 people, you still have a legal duty of care to ensure that your firm’s driving activities don’t put drivers or other road users at risk.

You must consult with your employees and, where applicable, their health and safety representatives, on health and safety issues, including:

- Risks arising from their work.
- Proposals to manage and/or control these risks.
- The best ways of providing information and training.
- Change in Health and Safety fines 2016.

Change in Health and Safety fines 2016



For several years, the Corporate Manslaughter Act has been identified by many commentators as the most important legislation that affects road safety issues. While very important, the most likely risk for most businesses is the major overhaul of health and safety fines and sentencing guidelines introduced in February 2016.



"The [Sentencing] Guideline sought to implement a fair, proportionate and consistent approach to sentencing ... The tariff-based structure, with specific starting points and ranges, follows a stepped process and gives sentencing judges a framework for making their decisions ... The Guideline was introduced to ensure fines for health and safety failings are 'fair and proportionate to the seriousness of the offence and the means of the offender' and to ensure a consistent approach to sentencing."

Liam Jagger,
associate at Pinsent Masons LLP

As a result, the size of health and safety fines has increased since the new guidelines were introduced in 2016. Here are some recent examples of the major fines related to road and driver risk.

 Fine	 Costs	 Company	 Incident description	 Fine date
£380,000	£5,934.50	Haldane Fisher Limited	Delivery driver fell and suffered a traumatic brain injury when a forklift truck struck his vehicle	Mar 2024
£2.15m	n/a	Ward Recycling Limited	An agency worker was killed when he was struck and run over by a loading shovel	Jan 2024
£900,000	£12,405	Nationwide Platform Limited	LGV driver crushed to death while attempting to move a scissor lift	Dec 2023
£100,000	£8,400.50	Williams Haulage Limited	A worker fell from a loading bay and died while preparing a load of trailers in his lorry ahead of departure	Sept 2023
£200,000	£7,500	Tronox Pigment UK Limited	A driver suffered chemical burns to his feet when offloading his tanker	Sept 2023
£150,000	n/a	Andrew Black Limited	Experienced LGV driver was killed when he raised the body of his tipper vehicle and made contact with overhead powerlines	Jul 2023
£40,000	£4,696.95	T. Print Limited	A self-employed delivery driver suffered multiple leg fractures and a dislocated ankle as he collided with a forklift truck while delivering goods	Jul 2023
£255,000	£3,687	B Taylor & Sons Transport Limited	A delivery driver fell from a lorry and fractured his skull while delivering glass to a customer	Jun 2023
£600,000	£3,188.60	AkzoNobel Packaging Coatings Limited	A worker's leg was crushed by a forklift truck as he walked across a pedestrian crossing. The forklift truck driver's vision was restricted by its load so the driver did not see the worker crossing	Apr 2023
£600,000	£20,848.71	Kelkay Limited	An employee died while operating a forklift truck to load a lorry. The lorry was moved by its driver, pulling the forklift truck over and trapping the worker underneath	Mar 2023

Future of fleet risk management

Driver behaviour is a key factor in road safety. It is estimated that 90% of crashes are caused by human error so training needs to focus more and more on the individual driver. To meet this requirement, training interventions must be data-driven and deliver a completely personalised training experience, focused on each driver's unique training needs. Technologies such as telematics and biometrics (human telematics) should also be utilised to provide data that will inform training interventions.

Traditional on-road driver training is perfect for some drivers. However, more cost-effective and targeted training that employs data and technology is highly sought after, especially if it is not too intrusive on the drivers' time.

The growth of autonomous and semi-autonomous vehicles will continue to greatly affect the driving environment as technology takes over an increasing proportion of the role historically performed by the driver. This will require further targeted training to help every driver understand the benefits of such technology as well as some of the new challenges it can bring.

Conclusion

The evidence is clear. There are 5 key business reasons for adopting a comprehensive fleet and driver risk programme to support your employees who drive for work. If you do, you will be legally compliant, comply with your health and safety obligations, ensure your drivers are safer behind the wheel, save money while running your fleet as well as maintaining your brand reputation. Now is the time to act.

It is estimated that

90%

of crashes are caused by human error





“Minimising occupational road risk remains high on Kier’s transport management agenda, and our partnership with TTC is critical to ensuring we go above and beyond in meeting our driver duty of care. Nothing is off the table with the TTC team, which has worked closely with us to deliver bespoke training that truly meets our business and driver needs. Collaboration has been key in creating and maintaining a confident and safe fleet of drivers.”

Gary Rigby,
Group Head of Fleet Compliance, Kier

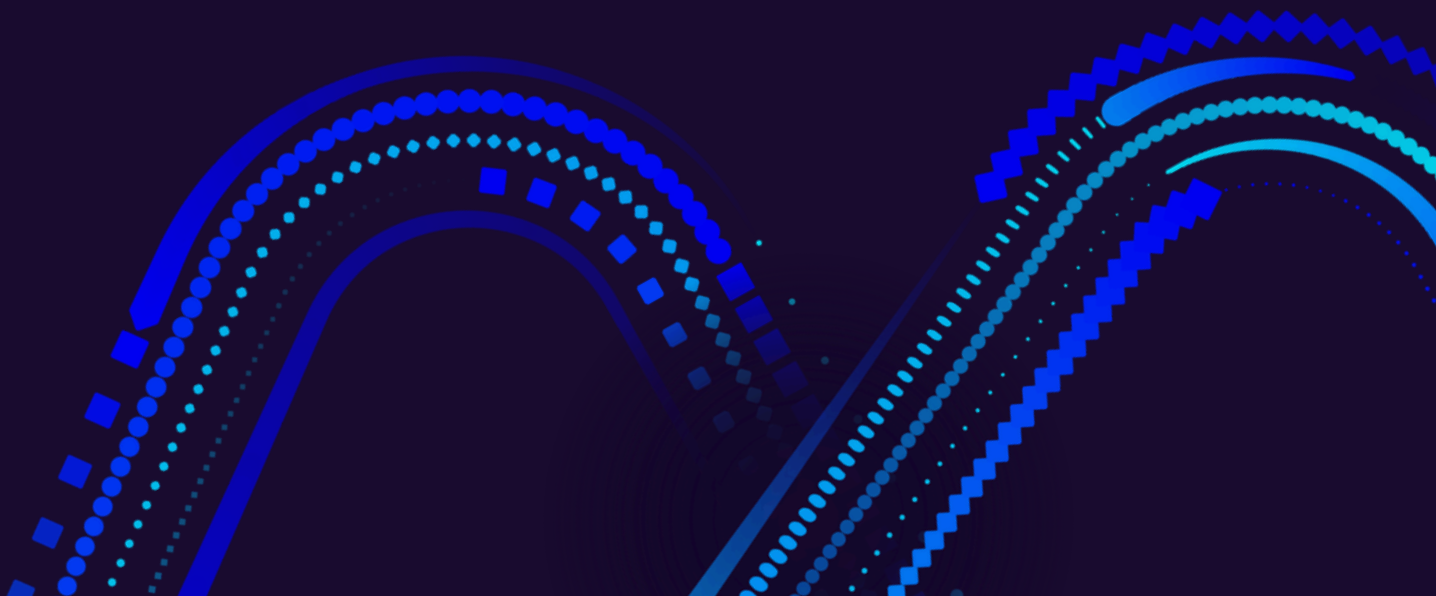
“Working with TTC we have further streamlined our stringent compliance measures and benefit from additional risk management via Continuum’s Permit to Drive portal. Centralised governance is a key theme for us and having an up-to-the-minute overview of our commercial driver pool ensures that we remain on the front-foot in managing compliance.”

Mark Forster,
Policy & Engagement Manager, Biffa

“The relationship with TTC kick-started with a 40-point Risk Assessment for every employee driving on behalf of NLB. This enabled us to identify potential risky driving behaviour and knowledge gaps, and provide eLearning based on the needs of individual employees. The assessment will be repeated every two years, allowing us to better monitor and manage driver risk and improve safety for our employees and those they serve.

In addition to ticking the compliance and risk assessment boxes, TTC’s training supports NLB drivers with relevant training courses. This provides a holistic approach to always keeping our drivers safe.”

Trish Donaldson,
Compliance Officer at The Northern Lighthouse Board





Part of the TTC Group

References

European Commission: Work-related Road Safety 2015 https://road-safety.transport.ec.europa.eu/system/files/2021-07/ersosynthesis2015-workrelatedroadsafety25_en.pdf

UCL Report: Driving for work: A strategic review of risks associated with cars and light vans and implications for policy and practice <https://www.drivingforbetterbusiness.com/articles/landmark-study-reveals-driving-for-work-death-toll/>

The Road Traffic Act (1988) Section 87: <http://www.legislation.gov.uk/ukpga/1988/52/part/III/crossheading/requirement-to-hold-licence>

The AA: <http://news.bbc.co.uk/1/hi/uk/503560.stm>

HSE guide to Driving and riding safely for work: <https://www.hse.gov.uk/roadsafety/employer/index.htm#article>

Sentencing Council's Health and Safety guideline assessment <https://www.sentencingcouncil.org.uk/wp-content/uploads/Health-and-safety-guideline-assessment.pdf>

Unknown source 8. Brake Charity: <https://www.brake.org.uk/get-involved/take-action/mybrake/knowledge-centre/global-road-safety>

Department for Transport statistics RAS0404: International comparisons of road deaths, number and rates for different road users, by selected countries www.gov.uk/government/statistical-data-sets/reported-road-accidents-vehicles-and-casualties-tables-for-great-britain

Reported road casualties in Great Britain, provisional estimates: year ending June 2023 <https://www.gov.uk/government/statistics/reported-road-casualties-in-great-britain-provisional-estimates-year-ending-june-2023/reported-road-casualties-in-great-britain-provisional-estimates-year-ending-june-2023>

Fleet News report: The Business of Safety and Risk <https://www.fleetnews.co.uk/ReportItem/DownloadLink/162076>

Legislation: the key laws fleets need to know about, 5 October 2023: www.fleetnews.co.uk/features-landing/legislation-the-key-laws-fleets-need-to-know-about

Northumbria University Expert Comment: UK corporate manslaughter cases tend to be complex and can take years to reach a finding <https://www.northumbria.ac.uk/about-us/news-events/news/expert-comment-lucy-letby-investigation-uk-corporate-manslaughter-cases-tend-to-be-complex-and-can-take-years-to-reach-a-finding>

BBC News Baldwin Crane Hire <https://www.bbc.co.uk/news/uk-england-lancashire-34972941>

BBC News Bath Tipper Truck crash <https://www.bbc.co.uk/news/uk-england-38774080>

BBC News Bin Lorry Deaths <https://www.bbc.co.uk/news/uk-scotland-glasgow-west-39453847>

BBC News Coventry Supermarket death crash bus <https://www.bbc.co.uk/news/uk-england-coventry-warwickshire-46357500>

Road Traffic Act 1988 Part III: Requirement to hold licence <https://www.legislation.gov.uk/ukpga/1988/52/part/III/crossheading/requirement-to-hold-licence>

Driver CPC training for qualified drivers <https://www.gov.uk/driver-cpc-training>

HSE guide to Employee responsibilities: <https://www.hse.gov.uk/roadsafety/employers.htm>

British Safety Council: <https://www.britsafe.org/safety-management/2023/sentencing-for-health-and-safety-offences-how-judges-retain-considerable-discretion>

Health and Safety Executive <https://press.hse.gov.uk/>

ROSPA Road Safety Factsheet 2021: <https://www.rosipa.com/media/documents/road-safety/factsheets/safe-system-factsheet.pdf>