

Committee:	Audit Committee	Agenda	
Date:	26 th June 2012	Item No.:	9.
		Status	Open
Subject:	Driving Licence Checks		
Report by:	Director of Neighbourhoods		
Other Officers Involved	Assistant Director Human Resources		
Director	Director of Neighbourhoods		
Relevant Portfolio Holder	Councillor Dennis Kelly, Portfolio Holder for Environment		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – to continually improve the efficiency and effectiveness of all Council Services by maximising the potential use of Council resources.

TARGETS

All

VALUE FOR MONEY

This report is intended to form part of a process of improving the Council's Internal Control Arrangements. Such arrangements are an essential foundation for securing Value for Money.

The Council has an existing Driving at Work Policy which requires driving licence checks to be undertaken on an annual basis for drivers of Council vehicles. This Policy is currently being reviewed in conjunction with North East Derbyshire District Council with the intention of having a common Policy and process across both Councils.

An employer's statutory duty of care is set out at Section 87 (2) Road Traffic Act 1988 which states *"It is an offence for a person to cause or permit another person to drive on a road a motor vehicle of any class if that other person is not the holder of a licence authorising him to drive a motor vehicle of that class."*

The revised Policy was being drafted by the former Health and Safety Officer but following his departure this is now being picked up by the shared Fleet and Transport Section. Part of the considerations for the revised Policy is what systems the Councils need to have in place to check all drivers' licences. At the time of adopting the current Policy the need for regular driving licence checks was only included for drivers of the Council's own vehicles and not "grey fleet" users who drive their own vehicle for works purposes. The advice at that time was that the certification on each mileage claim by the driver that they have the necessary business use insurance

was sufficient to meet the Council's statutory duty. On an annual basis payroll also require the production of a copy of the relevant insurance certificate. Concerns were also expressed at that time about the resources required to carry out any more stringent checks for grey fleet users, e.g. MOT and driving licences. The statutory duty does not include a requirement to check e.g. MOT's and it must be remembered that it is the responsibility of each and every driver to ensure that their vehicle is roadworthy and that it and they meet all statutory requirements. For any documents produced they are only a "snapshot" in time and we are always reliant upon drivers to update us of any changes either in their licence or in respect of their vehicle.

Currently Streetscene undertakes annual licence checks of Council operated fleet vehicle drivers though this is time consuming. This generally takes up to 6 weeks, which includes photo copying of the original driving licence paper & card, further checking of categories, chasing up any missing licences and updating systems. As part of the revised Policy it is intended to undertake these checks twice each year. We are also planning to do a full driving licence check at the beginning of August which will enable us to update the information for the vehicle tracking system which should reduce some of the extra work involved in 6 monthly checks.

However, the grey fleet poses numerous other issues for drivers' licence checks in that, there may be staff changes on a frequent basis throughout the organisation which would require information from either the individual department or Human Resources. This itself would create another strand of administration requiring access to other systems which also currently hold information on individual employees which is subject to Data Protection. As part of the considerations of the revised Policy the Assistant Director of Human Resources has confirmed that her department will absorb this work to mitigate the amount of resources required.

Prior to adoption of the revised Policy formal consultation will be required with Trades Unions. Members will recall that when the original Policy was presented the Trades Unions raised a number of objections on the requirements placed upon drivers e.g. the number of penalty points on a drivers licence that would be accepted by the Council for certain types of vehicles. It is anticipated that a draft Policy will be circulated to relevant officers for comment in July prior to referral to Members at both Councils.

Recommendation

That the report be noted