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Dear David,

Consultation Document on Proposed Revisions to RIDDOR

Thank you for inviting us to comment on the proposals to revise Reporting of Injuries, Diseases and Dangerous Occurrences Regulations. We understand the aim of the proposal is to ensure that the supply of useful information is retained, and to facilitate improved reporting of such information.

We are, however, extremely disappointed to note that despite the recent rise in work-related road fatalities the HSE has chosen to disregard this area of safety by stating that the consultation will give no consideration whatsoever to widening the scope of reportable incidents to areas where HSE and other enforcing authorities do not have primacy, with work-related road traffic accidents being specifically highlighted.

Given that this has been recommended by the Work and Pensions Select Committee in its Fourth Report on the Work of the HSE published on 14 July 2004 and the Dykes Report, published in November 2001 we are somewhat surprised by the HSE's approach.

The stance taken by the HSE can only be regarded as 'irresponsible' at a time when the Department for Transport has published [Road Casualties in Great Britain 2011](#), revealing that 1,901 people were killed on the roads of Britain last year, a **3%** increase on 2010. This increase clearly demonstrates the need for an effective co-ordinated approach towards raising road safety standards, which in our view includes work-related road traffic accidents where injuries occurred that should be subject to RIDDOR. This is because it helps to ensure that UK employers take employees road-safety in their mobile workplace as seriously as if they were working on their premises at their fixed workplace. Other road collision statistics from the Department for Transport in 2009 show that 18% of all drivers and riders aged 16 or over who were involved in a collision in which someone was injured were recorded as having a journey purpose of 'driving for work' at the time of the collision.

We would also wish to draw your attention to the recent report funded by the Metropolitan Police Service and the Association of Chief Police Officers which has called for the introduction of a national standard for the management of work-related road risk and greater involvement by the Police in disseminating safety information.

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The BVRLA believes that the Police should be given the extra resources to be able to categorise all work-related road accidents and report them to businesses. If this was introduced companies could then start recording these incidents and reporting them as part of their RIDDOR (Reporting of Injuries, Disease and Dangerous Occurrences Regulations) requirements.

Some companies have already chosen to go beyond the legislative reporting requirements and track the number of work-related road traffic accidents that their employees are involved in. This type of reporting has helped focus the minds of its employees and improve their accident record. This type of reporting is normally part of a wider focus on work related road safety. For example, one of our members who implemented a work related road safety programme, which included reporting on work-related road traffic accidents, reported a reduction in third party insurance claim costs of 40% and a 50% reduction in employees incurring speeding offences as a direct result of the programme. If RIDDOR required reporting of all work-related road traffic accidents where injuries occur all companies in Great Britain would be more focussed in this area and we could well start to see the number of people killed on our roads start to reduce again.

This report, [‘A gap analysis of work-related road safety in the UK: Working towards a national standard’](#) found that the management of work-related road risk is widely perceived to be lagging behind the management of general health and safety risk in the workplace, even among stakeholders who represent good practice. As the HSE’s role “is to protect people against risks to health or safety arising out of work activities” we would recommend that HSE rethinks its approach towards work-road related safety as a matter of some urgency.

The BVRLA believes that by including work-related road traffic accidents in the RIDDOR regulations the following benefits would be achieved:

- It would encourage duty holders to integrate and manage work-related road safety as part of their overall health and safety management system.
- It would allow the enforcing authorities to be able to build up a statistical database on the extent of incidents where there had been a safety management failure.
- Reports could be used to target investigations by the enforcing authorities.

There is inevitably a burden going to be imposed on businesses having to report details of employees that are off work for more than 7 days as a result of an at work road related incident.

However, we feel that this has to be viewed in the context of the benefits such reporting will achieve to both business and society.

Our members have stated that they and their customers have indicated the benefits of implementing a simple reporting process which will in the longer term assist greatly in raising awareness and working towards creating a safer environment for their employees. Indeed, the comments our members have received, indicate they do not believe the reporting of such incidents would add any onerous burden, as they have to report office based incidents anyway.

From a positive point of view, we believe that this information will help businesses to understand the type of road accidents their employees are involved in and enable them to take the necessary preventative measures and thereby effectively contributing towards a safer working environment. In a modern working environment, it is nonsensical to differentiate the activities in an office to those in a motor vehicle. It is on this basis that any reporting of work-related road traffic accidents is both proportionate and fair.

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The definition of a work-related road traffic accident will need to be very specific to prevent the superfluous reporting of minor incidents or near misses that are not within the line of sight of this proposal. Commuting should also be excluded from the definition. For example, a requirement to report only those incidents resulting in a fatality will produce a very different set of statistics to one that requires the reporting of all incidents resulting in the seeking of medical treatment by any party.

We therefore strongly suggest the decision to not include work-related road traffic accidents is reversed and serious consideration is given to including these incidents in RIDDOR.

We welcome the opportunity to continue our constructive dialogue with the Health & Safety Executive on work-related road traffic incidents.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jay Parmar', is written in a cursive style.

Jay Parmar
Legal and Policy Director

Bona-fides BVRLA, the industry and its members

- The BVRLA is the trade body for companies engaged in the leasing and rental of cars and commercial vehicles. Its members provide rental, leasing and fleet management services to corporate users and consumers. They operate a combined fleet of 2.5 million cars, vans and trucks, buying nearly half of all new vehicles sold in the UK.
- Through its members and their customers, the BVRLA represents the interests of more than two million business car drivers and the millions of people who use a rental vehicle each year. As well as lobbying the Government on key issues affecting the sector, the BVRLA regulates the industry through a mandatory code of conduct. www.bvrla.co.uk