



The Corporate Manslaughter and Corporate Homicide Act 2007 was introduced on 6th April 2008. There are no new obligations or duties introduced by the act, but firms who do not comply with existing health and safety rules are now more likely to be prosecuted in the event of a death caused by negligence.

For most people, driving is the most dangerous activity undertaken whilst at work. Every year, it is estimated that 1,000 people are killed on the UK roads in a collision that involves somebody who is working at the time. Firms who use vehicles at work need to ensure that the vehicles themselves are in good working order and that the drivers use them safely.

Under the new act, it is now much easier to be prosecuted in the event of a death. Previously, a single individual needed to be at fault to ensure a successful prosecution. The new act now allows prosecution for gross failures in the management of health and safety within a company as a whole.

To help firms become compliant, we have produced a list of that will help firms fulfil their duty of care:

Produce a driving for work health and safety policy.

Begin an on-going programme of risk assessments to cover vehicle safety, driver safety and journey planning.

Record all incidents and analyse this information regularly.

Ensure all vehicles, company-owned and privately-owned, are regularly inspected and serviced in accordance with the manufacturer guidelines.

Purchase vehicles suitable for the intended use and pay particular attention to available safe senior manager to take responsibility for managing driving at work.

Ensure all employees are suitably assessed, vetted, trained, licenced and fit to drive.

Produce a drivers handbook, detailing company policies on things like mobile phone use and driving when tired.

Ensure journey planning provides the necessary time to complete the journey with regular stops.

Consider the necessity of all journeys along with car-sharing, telephone conference calls etc.

