

The new world of compliance

While O licences have traditionally been held on trust, a new crop of schemes, such as FORS, CLOCS and Truck Excellence, are requiring more energetic compliance metrics, reports Steve Banner

Aware of how demanding the regulations that govern their activities are, and eager to show both the authorities and their customers that they comply with them, more and more truck operators are joining the Fleet Operator Recognition Scheme (FORS), said its director John Hix (pictured).

"We're now up to 4,726 compared with 4,000 a year ago," he reported. "Most of them are at bronze level, but an increasing number are progressing to silver and then on to gold."

Nor are FORS adherents to be found solely in the south east of England. There are, for example, half a dozen or so FORS members and associate members in and around Kenilworth in Warwickshire, said Hix - which happens to be the venue for this year's IRTE Conference.

So what does compliance mean so far as FORS is concerned? "I think it works at a number of levels," he observed. "Obviously we think about legal requirements and contractual agreements with customers," he continued. "FORS goes beyond what is required legally, however, and members are audited to ensure they meet the standard."

Not everyone passes the audit. "In the last three months we've done around 1,200 audits, and around three-quarters of the operators concerned passed on the first attempt," said Hix. "Ninety-eight percent passed on their second attempt, but there are clearly some who fail."

What are the reasons for failure? "There are

some common areas that trip people up," he continued. "One of them is driver fitness and health. Companies forget that they are obliged to test their eyesight once every six months. We're not talking about sending the driver to an optometrist. All that is really needed is for the transport manager to check that he or she can read a registration plate at 20 metres.

"Then there's professional development," he said. "FORS requires that every employee completes a training plan, and that includes warehouse operatives, technicians and managers, with specific requirements for drivers.

"Some companies fall down because they don't have an effective driving standards policy that talks about speed, vulnerable road users and the use of mobile phones, among other topics," he said. "Drivers have to have a copy of the Highway Code made available to them, too."

Information management is another issue. "Businesses have to be able to retrieve records in an easy and timely manner," said Hix. They must also have a policy in place that deters drivers from allowing their engines to idle unnecessarily.

What about the conduct of FORS members

FACT

Every six months, FORS members are obliged to check that drivers can read a registration plate at 20 metres



between audits? "We expect them to meet their obligations at all times and we set out those obligations and the consequences of failure in our compliance and enforcement guide," he explained.

"If a company has its O licence revoked, for example, then its membership is terminated and it is not allowed to re-register for six months," said Hix. "If drivers are caught using hand-held mobile phones, then the first time it's a letter to the operator from us, the second time it's a formal warning, the third time it's an enhanced audit, and the fourth time it's a suspension."

There is an appeals process which members can use if they feel hard done by, Hix said.

"In the last six months, we've had to terminate three companies, suspend six and subject seven to an enhanced audit," he commented. "We try to keep people in the scheme, but there can come a point where action has to be taken."



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CLOCKING ON

Vicky Sims, project manager, Transport for London, which originally developed the CLOCS (Construction Logistics and Community Safety) programme, would like to see more CLOCS champions. She said: “They are industry organisations including construction industry clients, contractors, fleet operators and local authorities along with organisations that may not have their own fleets or sites, but are involved with and support the scheme. They are all actively implementing the CLOCS standard.”

The roll call includes major construction projects such as Crossrail.

“The CLOCS standard relates to a set of requirements designed to reduce the risk of a collision between a construction vehicle and a vulnerable road user,” Sims explained. It is split into two parts that describe what truck operators are expected to do, and what site operators are expected to do. “The responsibility is shared,” she said.

Truck fleets have to ensure their vehicles are the most appropriate ones for the job, that they are as safe as possible and that their drivers

are appropriately trained and licensed. “CLOCS requirements are fully aligned with FORS requirements, and if you are a FORS silver operator then you can rest assured that you are also fully CLOCS-compliant,” she said.

CLOCS champions are asked to sign a non-legally-binding memorandum of understanding, a commitment to improving road safety by adopting the CLOCS standard. “One of the things we ask them to do is promote and encourage the uptake of the standard all the way through their supply chain,” she said. “The responsibility for work-related road risk sits at all levels; not just one or two.”

ALTERNATIVES

FORS and CLOCS are not the only compliance programmes on offer, points out Sharon Mitchell (pictured, inset), manager of standards, audit and accreditation at the Freight Transport Association (FTA). She would like to see one universally-acknowledged scheme that everybody understands, rather than two or three different ones.

“We introduced our voluntary Truck Excellence scheme because our members wanted something that would recognise them as being safe and

legally-compliant operators,” she explained. “It’s designed by the industry, for the industry.”

“Members wanted to be measured against standards that would recognise best practice when it comes to compliance with their O licence obligations,” she added. “They wanted to be identified as exemplary operators and to see a scheme that would help raise the standards of the industry and the way it is perceived.”

“They told us they were disappointed when they read about operators being promoted as best-in-class one day only to have their O licences revoked the next. Obtaining an O licence does not mean that your responsibilities end there.”

“Members said that they wanted a new approach to the way standards are audited that would be challenging,” Mitchell continued.

“So in setting up the scheme we decided to draw up a single national fleet recognition standard that would include the same auditing items that are required by the Driver and Vehicle Standards Agency’s Earned Recognition programme and provide a single route towards achieving Earned Recognition status,” she said.

The Truck Excellence scheme is open to all truck operators, regardless of size or type of operation, who hold an O licence in the UK. It is governed by a group of truck operators, with the FTA acting as administrator. It is underpinned by standards that are mapped to O licence obligations.

The Truck Excellence audit addresses all aspects of a firm’s activities and the people in it, from the board of directors to the drivers. “Unfortunately, there are still people within our industry who believe, wrongly, that the buck stops with the transport manager,” Mitchell observed. “Our audit requires documented evidence and formal policies and processes to be in force. You have to write down what you do. Saying, ‘We don’t need to, Fred doesn’t need to be told what to do, he’s been doing the job for years and just does it’, is not acceptable.”

She continued: “What happens if Fred doesn’t arrive for work one morning? Who else will know what to do? And bear in mind that a judge or a traffic commissioner will want documented evidence to be available and presented to them – not a verbal confirmation.” ■