Defence Safety Authority

DSA03 DLSR - Movement and Transport Safety Regulations - Defence Codes of Practice (DCOP)

Movement and Transport Safety Regulator

Defence Land Safety Regulator

DLSR

CONTENTS

DEFENCE CODES OF PRACTICE

INTRODUCTION

1. The Ministry of Defence has a duty to protect its employees, those that may be affected by its activities and the environment. Effective Safety and Environmental Protection (S&EP) is also important, as their effective management is crucial to force protection and maximising operational capability.

2. MTSR Defence Codes of Practice (DCOP) are to be read in conjunction with the Defence Regulations contained in DSA02 Movement and Transport Safety Regulations. Due to the cross cutting nature of M&T activity, full consideration shall be given to the regulatory requirements of other Defence Regulators, i.e. the requirements of DSA02 Ordnance, Munitions and Explosives (OME) Regulations when handling, transporting or staging explosives.

3. DCOPs provide practical advice on how to comply with a regulation. They are designed to clarify legislative requirements, set Defence standards and identify roles and responsibilities. DCOPs provide Defence regulatory advice, which if followed, will be considered sufficient to demonstrate compliance. Guidance material may also be included which, whilst not compulsory, may also be considered 'good practice' to further support the Regulations and DCOPs.

4. Alternative approaches may be utilised where they produce outcomes as good as those required by the regulation. Justification may be required when alternative approaches are employed, and the requirements and advice contained in a DCOP may be used as evidence during Enforcement action. Where alternative approaches have been implemented, the onus will be on those holding safety and environmental responsibilities to prove that actions undertaken produced an outcome that meets the requirements of the regulations.

5. The DCOP emulates the layout used by the UK national Health and Safety Executive (HSE). A DCOP is provided for each Defence Regulation in the following format:

Regulation	The Defence Regulation is reiterated in the relevant DCOP to aid clarity and reinforce the relationship and precedence of the Regulation to the DCOP. Each Regulation may contain a number of Sub-Clauses that are pertinent to that Regulation. ***Note**: Regulations should not be read in isolation as there may be more than one Regulation which effects a particular M&T activity.*
Rationale	The reason why the Defence Regulation is applied to the MOD, ideally with reference to national legislation, British Standards or industry codes of practice.
Defence Code of Practice (DCOP)	The DCOP provides practical advice on how to comply with the Defence Regulation. If the DCOP is followed then this will be considered sufficient to demonstrate compliance, however alternative approaches may be utilised where this produces an outcome that can be demonstrated to be as good as required by the Regulation.
Guidance Material	Provides Guidance Material, which, whilst not compulsory, may be considered 'good practice' to further support the Regulations and DCOPs.

TERMINOLOGY

6. There are four key definitions that apply to the implementation of Defence M&T Regulations:

a. **Must**. A legal requirement which describes an activity mandated by legislation.

b. **Shall**. A Defence specific requirement - Describes an activity that is mandated by Defence[1].

c. **Should**. Defence regulatory advice - If the advice is followed then this will be considered sufficient to demonstrate compliance with a regulation. However, alternative approaches may be utilised where this produces an outcome as good as required by the regulation.

d. **Could**. Defence regulatory guidance - Describes an activity or course of action that is considered good practice.

[1] Compliance with Defence Regulations is mandated by SofS for Defence.

MTSR DCOP NO 1 - M&T SAFETY MANAGEMENT

Regulation

Those planning, managing, supporting or undertaking M&T activity shall have arrangements in place to ensure that all activity is conducted safely and in accordance with, national and international legislation, Defence regulation and S&EP policy.

Sub Clauses

1. **Legislation compliance**. Those planning, managing, supporting or undertaking M&T activity shall undertake a suitable and sufficient legislation compliance assessment for each element of the activity.

2. **Exemption cases**. Those responsible for the management of M&T activity shall present a formal exemption case to the Land Exemption Committee for any M&T activity where a legal exemption is deemed necessary. Where an exemption from Defence M&T regulations is sought, an exemption case shall be submitted to the MTSR.

3. **Safety and Environmental Management Arrangements (SEMA)**. Arrangements shall be in place to ensure that those planning, managing, supporting or undertaking M&T activity document, maintain and use suitable and sufficient arrangements for the management of safety and environmental protection.

3.1. **Best Practicable Environmental Option (BPEO)**. Those planning, managing, supporting or undertaking M&T activity shall ensure that any environmental risk posed by the activity has been reduced or managed as far as reasonably practicable by selection of the BPEO.

3.2. **Biosecurity**. Those planning, managing, supporting or undertaking M&T activity for all modes of transport, including multi-modal movement, shall ensure that all activity is in full compliance with national and international biosecurity requirements.

3.3. **Emergency arrangements**. Those planning, managing, supporting or undertaking M&T activity shall ensure that documented emergency arrangements are made available to those who may be called upon to attend and resolve an emergency situation.

Rationale

As a key enabler to the effective delivery of operational capability, robust safety management ensures a systematic, pro-active and auditable approach to the management of M&T risks. Central to safety management is the intellectual activity and decision making which is enabled by the necessary organisational structures, accountabilities, policies and procedures.

M&T covers a wide and varied range of functional disciplines that often require pan-TLB co-operation, with tasks routinely involving military activity interfacing directly with commercial operations and the general public. The conduct of M&T functions cross multiple regulatory boundaries; and include areas of activity which present unique or increased levels of risk that have previously resulted in Crown Censure.

There are a number of Disapplications, Exemptions or Derogations (DED) available to Defence and these regulations provide clarification of legislative and Defence requirements by setting a set of coherent standards in order to ensure the safe conduct of pan-TLB M&T activity and prevent the export of risk into the public domain.

Defence Code of Practice (DCOP)

1. **Legislation Compliance Assessment (LCA)**. Those planning, managing, supporting or undertaking M&T activity should conduct a LCA for each element of the activity. All activity should be assessed against the requirements of national, international and Defence standards as appropriate.

1.1. Prior to the conduct of any activity, an assessment should be undertaken to ensure that all requirements of legislation and Defence regulations have been identified and that appropriate arrangements are in place to ensure full compliance. This includes:

a. Directly applicable legislation for which the MOD has no available DED; or

b. Control:

(1) All facilities used to conduct movement activity are operated in accordance with current regulations and standards.

(2) Site/Facility safety management procedures are fully compliant with statutory and MOD standards.

(3) Safety responsibilities of line managers and supervisors are clearly defined.

1.2. LCAs should be reviewed, as a minimum, at the following stages:

a. Prior to first conduct of activity.

b. During the review of any process or procedure.

c. When modifications and/or changes are made to the construction and/or use of equipment used in the course of M&T activity.

d. When there are new or changes to legislation which apply retrospectively.

2. **Exemption Cases**. Where non-compliances with legislation have been identified and DEDs are available to the MOD, an application in the form of an exemption case should be submitted to the DLSR Land Exemption Committee (LEC). Where an exemption or waiver from Defence M&T Safety Regulations is sought, the exemption case should be submitted to the MTSR. The exemption case template, on which exemption requests should be submitted, is available on the DLSR web page.

2.1. The purpose of the exemption case is to justify, with evidence, the need to invoke an exemption and to demonstrate that all mitigations for each non-compliance have been identified and reduce the associated risks to levels that are considered to be As Low As Reasonably Practicable (ALARP). The exemption case should also capture the reasoning behind the arguments which justify the request for any exemption.

2.2. A single exemption case should be submitted for each exemption. The information used to build the exemption case should be drawn from all applicable safety cases and legislation compliance assessments. The exemption case should include a brief description of the activity; its operational requirement; and a reasoned argument for the exemption to cover the following issues:

a. The item of legislation from which exemption is being sought;

b. Applicability of legislation (i.e. directly applicable to the activity or annotated as duty of care, if a disapplication is available);

c. The description of the non-compliance;

d. The technical reasons for non-compliance;

e. The operational requirement which justifies the non-compliance;

f. The risks posed by non-compliance;

g. The mitigating measures to be implemented to ensure that any residual risks are reduced to ALARP and demonstrate that procedures and standards in place of those required by legislation still offer equal protection as if the letter of the law was followed;

h. The perceived operational and financial impact of meeting the legislative requirements.

2.3. Exemption cases should be supported with evidence and co-signed (where appropriate) by the Delivery Team Leader and Duty Holder (DH) representative or capability sponsor.

2.4. In the event that any exemption is granted, a copy of the certificate should be retained for future reference. All stakeholders should be informed of any exemption, exemption certificate and all mitigation(s) required to manage the residual risk. A lack of implementation/maintenance in regards to the exemption case mitigations, will render the exemption case invalid.

2.5. Exemption cases should subsequently be reviewed and presented at the following stages:

a. When there are new or changes to legislation which apply retrospectively;

b. When existing exemptions are due to expire and exemption is still required.

2.6. The LEC should be notified if the method(s) of conducting the activity or the mitigation(s) upon which the exemption was granted is changed;

2.7. **Business Cases**. Where a non-compliance has been identified and no exemptions are available to the MOD, a legislation business case should be submitted to the LEC to endorse the request for change in the law. The UK Government department responsible for the legislation from which an exemption is sought will then consider the business case. The Business case template on which exemption requests should be submitted, is available on the DLSR web page.

2.8. **As Low As Reasonably Practicable (ALARP).** As soon as a hazard is identified within the M&T environment, which has the potential to cause harm, the owner of that activity should, in order to satisfy their duty of care, take immediate steps to reduce the risk posed to those who may be affected. With any risk, there will come a point where the safety benefit of reducing it further is negligible compared to the costs of doing so. It requires a balance to be made between costs and benefits. This balance should be biased towards safety risk reduction which may only cease when the cost is grossly disproportionate to any benefit achieved. The overall aim should be to provide an activity where all residual risk is reduced to a level that is ALARP.

3. **Safety and Environmental Management Arrangements**. Those planning, managing, supporting or undertaking M&T activity should have in place appropriate environmental management arrangements to ensure that the organisational structure, processes, procedures and methodologies, that enable the direction and control of M&T activities, meet statutory requirements, Defence Regulations and safety policy.

3.1. **Best Practicable Environmental Option (BPEO)**. BPEO is a term used to demonstrate that the environmental impacts and risks associated with land system(s) have the least environmental damage as well as meeting legislative and practicability constraints, at acceptable cost, in the long-term as well as the short-term. It is the mechanism by which due regard to the protection of the environment should be demonstrated for M&T activity, including those not governed by applicable regulation or standards.

3.1.1. Environmental Management should be considered from the concept of any M&T activity and be reassessed throughout all procedures. Early opportunities to investigate options and adequately scope requirements can provide many cost effective options for environmental protection.

3.1.2. The BPEO assessment should identify the significance and impact of each risk and identify priorities for further management. Assessments should consider the controls and mitigation measures currently in place, and those required to be implemented to manage the environmental impacts and risks. All assessments and mitigations should be recorded.

3.2. **Biosecurity**. Biosecurity is a strategic and integrated approach that encompasses the policy and regulatory frameworks that analyse and manage risks in the sectors of food safety, animal life and health, and plant life and health, including associated environmental risk. Rapid deployments and recovery of military units reduce the opportunity for Biosecurity threats to be negated by natural quarantine enforced by “in-transit” time. This combined with changes in world environmental conditions allow a greater possibility that species will be able to establish a breeding presence in countries and areas that were not previously considered viable.

3.2.1. Defence has a requirement to operate on a global basis, often at relatively short notice. Due to the potential number of countries/regions involved, combined with continued changes in world environmental conditions it is essential that those involved in the planning and control of the import and export of military consignments carefully plan and manage activity to ensure that all Biosecurity requirements are fully met.

3.2.2. Those planning, managing, supporting or undertaking M&T activity shall have appropriate arrangements in place to ensure that the import/export of Defence material to/from operational theatres, overseas exercise areas and for routine movement worldwide meets legislative and Defence requirements.

3.2.3. Those responsible for the planning of M&T activity should seek “Country Specific” advice based on a Risk Assessment from the appropriate competent authority. Liaison with appropriate specialist agencies may be required prior to the despatch of any vehicle, equipment or container.

3.2.4. When conducting operations and training the military are often required to operate in countries which for a variety of reasons (poverty, civilian unrest, the breakdown of national administration etc.) do not have robust Biosecurity procedures in place or may not have accurately declared an outbreak of disease. They can also be required to operate in remote areas away from normal commercial trade routes. Arrangements should be in place to ensure that deployed military forces take all reasonable steps to ensure that their personnel and equipment do not inadvertently contribute to the Biosecurity threat. Arrangements should include:

a. **Cleaning.** All vehicles, Cargo Transport Units (CTU) and equipment are to be thoroughly cleaned prior to movement. Where possible this should be undertaken by the use of a pressure or steam washer. The use of disinfectants is normally unnecessary and only to be carried out on the advice of competent Biosecurity advisor. Where the use of a disinfectant is advised they are only to be applied by a SQEP. Appropriate consideration should be given to the requirements for the journey to/from the POE/POD.

b. All exercising units, or those transiting forests, woodlands or when entering any land or premises where there is a risk of spreading pests or disease, should ensure that vehicles, machinery, tools, boots and clothing are free from soil or plant debris before leaving the area.

c. **Certification.** All vehicles, CTUs and equipment moving across borders are to be accompanied by a Biosecurity Certificate. The certificate confirms to all agencies, units and individuals involved in the movements processes that appropriate measures have been taken to ensure that the vehicles, CTUs or equipment meet Biosecurity requirements, including details of any specialist methods undertaken and any chemicals used.

d. **Compliance checks.** Prior to loading, all vehicles, CTUs and equipment should be inspected by the consignor for signs of flying or crawling arthropods (insects and arachnids) prior to movement. If infestation is observed the following procedure should be followed:

(1) Isolate the CTU.

(2) Ensure that the CTU doors remain closed until the appropriate expert advice can be given and the correct procedures adhered to.

(3) Seek advice from the Competent Biosecurity Adviser, regarding fumigation requirements.

e. **Contamination/infestation.** At the point of unloading, vehicles, CTUs and equipment are to be thoroughly checked for signs of contamination/infestation. Arthropods may not initially be observed when sealing a container due to them being present in a dormant, immature stage of their lifecycle.

f. **Cross contamination**. If any item of un-cleansed equipment travels in the same ship or aircraft as cleansed items the whole cargo is deemed to have been contaminated and will need re-cleansing and certifying.

g. **Timber products**. Only wood/timber (packages/pallets/dunnage etc.) meeting the requirements of the International Standards for Phytosanitary Measures publication 15, entitled Guidelines for Regulating Wood Packaging Material for International Trade (ISPM 15) is to be used.

3.3. **Emergency arrangements**. All units and establishments should have site specific emergency response procedures to deal with M&T incidents and accidents. This also includes when at the home base, on exercise or on operations. As a minimum these should address:

a. Emergency contacts.

b. Spillage procedures.

c. Fire response.

d. Medical arrangements.

e. Evacuation procedures.

3.3.1. **Emergency arrangements for Dangerous Goods (DG)**. Safety information relating to DG incidents and accidents should be obtained from the following:

a. Emergency Response advice for UN Classes 1-6, 8 and 9, and for UN Class 7 radioactive excepted packages should be through CARECHEM 24.

b. Emergency Response for UN Class 7 (less radioactive excepted packages) should be through RADSAFE.

3.3.2. **Standard Operating Procedures (SOP) for DG**. Every MOD establishment should provide site specific SOPs for the transport of DG within, to and from their areas of responsibility. The Commanding Officer or Head of Establishment should ensure that a DG SOP covering the transport of DG, is available to all staff. SOPs should:

a. Be site specific.

b. Define each role or responsibilities of those involved in the transport of DG.

c. Cover each mode of transport.

d. Be reviewed periodically to ensure currency.

3.3.3. **Security of DG.** All personnel engaged in the transport of DG should ensure that adequate arrangements are in place to minimise risk of theft or misuse of DG that may endanger persons, property or the environment.

Guidance Material

DSA 01.1 Defence Policy for Health, Safety and Environmental Protection

BS OHSAS 18001:2007 Occupational health and safety management systems

ISO 14001: Environmental Management Systems

JSP 375: Management of Health and Safety in Defence

MTSR DCOP NO 2 - M&T COMPETENCE

Regulation	Those planning, managing, supporting or undertaking M&T activity shall ensure that those involved are competent and Suitably Qualified and Experienced Personnel (SQEP).
Rationale	A successful M&T strategy requires personnel who are assessed as competent and are SQEP. Whilst Duty Holders (DH), commanders and Line Managers (LM) are personally accountable for their responsibilities, it is important that expert advisers and a skilled workforce support them. Those who provide advice or conduct activity need to be able to demonstrate their competence and suitability to perform the role. A competent person should have a combination of training, skills, experience and knowledge, so that they may be able to perform M&T tasks safely. Competent persons should be an integral part of the resources available to ensure the delivery of high standards of safety and environmental performance.
Defence Code of Practice (DCOP)	1. **Competency**. Any person undertaking, or providing support to, an M&T activity should have received training commensurate with their duties, be appropriately qualified, current and have the appropriate experience for their role or task. Unless under direct supervision, those undertaking M&T activities should be deemed competent. Where supervision is being provided the individual providing such supervision should be trained and qualified to do so in respect of the M&T activity being undertaken. 1.1. The TLB or organisation should define the level of competence and qualifications required by any individual responsible for managing or supervising an M&T task. Individuals should only exercise M&T authority in areas where they have been assessed as being competent. 1.2. A competent person should be appointed by their LM and, where appropriate, should be identified in Standard Operating Procedures (SOPs) Terms of Reference (TORs) and/or Job Descriptions. 1.3. **Development and assessment of competence**. When assessing the competence of personnel to carry out their duties, the following factors should be considered: a. M&T knowledge appropriate to the area. b. M&T knowledge appropriate to the technology. c. M&T knowledge appropriate to the legal and safety regulatory framework. d. The consequences of failure of systems that affect M&T; the greater the consequence, the more rigorous the specification and assessment of competence. e. The safety categorisation (e.g. Risk Class) of the systems or component; the higher the category, the more rigorous should be the specification and assessment of competence.

f. Personal characteristics such as leadership, strength of character, ability to communicate, give presentations/briefings and literacy.

g. Previous experience and its relevance to the specific duties to be performed and the technology employed; the greater the required competence levels, the closer the fit should be between the competences developed from previous experience, and those required for the specific duties to be undertaken.

h. The relevance of qualifications to specific duties.

1.4. When assessing the competence requirements of a particular task, the following should be addressed:

a. How effectively the task is communicated.

b. The workload.

c. Support and communication available within a peer group.

d. Support for feedback and learning mechanisms within the organisation.

e. Review and verification processes within the organisation.

1.5. Competence requirements should be assessed at the following levels:

a. Individual;

b. Team;

c. Organisation; or

d. Service.

1.6. The need to develop and maintain competence should be read across to:

a. Recruitment and placement procedures.

b. The identification of training needs particularly in the presence of organisational change, staff turnover, and technological developments.

c. The delivery of training.

d. The need for general health promotion and surveillance schemes[1].

1.7. **Organisational changes**. DHs, Commanders, Leaders and Line Managers should recognise the significance of change at all levels and:

a. Assess the impact of change on M&T activities

b. Ensure that appointments are made only to personnel who will be able to acquire the necessary level of competence within a reasonable period of time.

c. Ensure that new personnel acquire necessary skills and knowledge to carry out their tasks effectively.

[1] General Health and Safety is addressed in JSP 375.

d. Allow new staff time to assimilate the safety culture and sources of corporate memory before delegating authority to them.

2. **Suitably Qualified and Experienced Personnel (SQEP)**. Those responsible for an M&T activity should ensure that personnel employed in the conduct of, or providing support to, the activity have appropriate knowledge, skills and experience to undertake all associated tasks safely. They should specify the level of safety and environmental competence required for any persons involved in that activity. See also DSA01 Chap 6 Para 2.

2.1. DHs, Commanders, Leaders and LM should assure that:

a. Representatives at meetings, working groups, panels, etc. where M&T matters are discussed or an agenda item, are competent and SQEP and appropriately authorised.

b. Personnel involved in the planning, management, supervision or conduct of M&T activities are competent and SQEP.

c. The training, experience and qualifications of personnel involved in M&T activity are assessed and documented.

3. **Procurement activity.** Management arrangements should be in place to ensure that those involved in the procurement of equipment have the appropriate knowledge of M&T requirements for the equipment entering service. When assessing the competence of personnel involved in the procurement of equipment, specific M&T factors should be considered including knowledge of M&T requirements for:

a. Load Restraint.

b. Transport of DG.

c. Provision of Movement Data and Safety Data (including Hazardous Stores).

d. Provision of, and access to, related documentation.

4. **Training**. All personnel involved in any M&T activity should be appropriately trained to perform that activity safely. It is a requirement of UK health and safety legislation that the employer and manager provide sufficient instruction and training for its employees to allow them to undertake their activities safely. MOD policy demands this applies equally to the protection of the environment.

4.1. The delivery of instruction and training can be through induction training on joining a unit or organisation, practical on-the-job training, formal instruction or computer-based training. Ideally, there should be some form of verification that the training has been undertaken, understood and repeated at appropriate intervals.

4.2. **Regulatory awareness**. Training should cover legislative and Defence requirements. Arrangements should be in place to ensure that where training is externally sourced, provision is made to include the use and application of Defence Regulations.

5. **Training of persons involved in the carriage of DG.** Defence requires that all personnel receive appropriate training concerning the nature of the danger, emergency procedures and their duties under the regulations. DG training should include:

a. **General awareness training**:

(1) General awareness training is an introduction to the transport of DG and should be supplemented with function specific training, which is determined by the individuals' role.

(2) Awareness training should be delivered by an appropriately qualified instructor. Where this is not possible, an individual that holds a current DG qualification and has completed a service course of instruction (or equivalent) should be utilised. Competence to deliver the training should be recorded.

b. **Function specific training**:

(1) This training should be appropriate to the task or range of tasks the individual is expected to perform. Training should include all particular requirements for all modes of transport that the role relates to. As a minimum, personnel should receive training in those elements that he or she is, or may become responsible for.

(2) Function specific training should be delivered by an appropriately qualified instructor. Where appropriate, individual task specific training could be delivered by an individual who has been formally trained in that task, and has been deemed competent by line management.

c. **Safety training**. Safety training should be included in all DG courses, however with certain UN Classes, additional safety measures should be put in place to ensure to the nature of the potential hazard is understood. In such cases specialized courses should be conducted.

5.1. **Class specific training**. Personnel involved in the transport of UN Classes 1 and 7 should receive training in the particular hazards associated with those classes. Training should include the precautions to be taken to ensure minimal danger or exposure to themselves and others.

5.2. **Requalification:**

a. All DG qualified personnel should undergo refresher training and be recertified as required by the modal regulations. Where not specified, refresher training should be undertaken:

(1) Air Mode: at least every 24 months.

(2) Surface Modes: at least every 5 years.

b. Training should be periodically supplemented with refresher training to take into account changes in legislation or Defence requirements.

Guidance Material

DSA 01.1 Defence Policy for Health, Safety and Environmental Protection

BS OHSAS 18001:2007 Occupational health and safety management systems

ISO 14001: Environmental Management Systems

JSP 375: Management of Health and Safety in Defence

MTSR DCOP NO 3 - ESTABLISHMENT OF SAFE WAYS OF WORKING

Regulation	Those planning, managing, supporting or undertaking M&T activity shall document, implement and maintain safe systems of work for all M&T activities so that the residual risks posed have been reduced to a level that is As Low As Reasonably Practicable (ALARP).
Sub-Clauses	1. **Safety management arrangements**. Those planning, managing, supporting or undertaking M&T activity shall have in place arrangements to ensure that those planning, managing, supporting or undertaking M&T activity document, maintain and use safe systems. 2. **M&T interfaces**. Those responsible for the planning, managing, supporting or undertaking M&T activity, which impacts upon or has potential to effect any other activity, shall ensure that all interfaces are identified, assessed and managed effectively. 3. **Risk Assessment (RA).** Those planning, managing, supporting or undertaking M&T activities shall complete a RA for each activity to ensure that any residual risk has been reduced to a level that is ALARP. The RA shall be recorded with reviews conducted as appropriate. 4. **Contracted activity**. Where an M&T activity is to be contracted those responsible for the commercial letting shall ensure the contractor is aware of how legal Derogations, Exemptions or Disapplications (DED) may apply and take appropriate steps to ensure compliance.
Rationale	As a key enabler to the effective delivery of operational capability, robust safety management ensures a systematic, pro-active and auditable approach to the management of M&T risks. Central to safety management is the intellectual activity and decision making which is enabled by the necessary organisational structures, accountabilities, policies and procedures. M&T covers a wide and varied range of functional disciplines that often require pan-TLB co-operation, with tasks routinely involving military activity interfacing directly with commercial operations and the general public. The conduct of M&T functions cross multiple regulatory boundaries; and include areas of activity which present unique or increased levels of risk that have has previously resulted in Crown Censure. There are a number of DEDs available to Defence and these regulations provide clarification of legislative and Defence requirements by setting a set of coherent standards in order to ensure the safe conduct of pan-TLB M&T activity and prevent the export of risk into the public domain.
Defence Code of Practice (DCOP)	1. **Safety management arrangements**. Those planning, managing, supporting or undertaking M&T activity should ensure that safety management arrangements are in place to provide the organisational structure, processes, procedures and methodologies that enable the direction and control of M&T activities necessary to meet statutory requirements, MOD policy and Defence Regulations.

1.1. Those responsible for the management and control of M&T activities should have in place arrangements to ensure the health, safety and welfare of all workers and visitors. Arrangements should provide a safe environment that eliminate or reduce risks associated with M&T activity and as a minimum include:

a. An assessment of risk.

b. Preventative and proactive measures.

c. Periodic review and monitoring.

d. Maintenance of appropriate method statements for each M&T activity undertaken.

1.2. The following supporting Annexes provide the requirements and standards for the conduct of M&T activity. These have been included to promote key safety considerations while meeting the conditions of Crown Notices previously served on the MOD:

a. DCOP 3A - Movement

b. DCOP 3B - Workplace Transport Safety

2. **M&T interfaces**. M&T covers a wide and varied range of functional disciplines that often require pan-TLB co-operation, with tasks routinely involving military activity interfacing directly with commercial operations.

2.1 The conduct of M&T functions crosses multiple regulatory boundaries. M&T procedures often have pan-Defence, multi-TLB, or MOD-commercial interfaces. Those responsible for the planning, managing, supporting or undertaking M&T activity, which impacts upon or has potential to effect any other activity or organisation, should have in place arrangements to ensure that all interfaces are identified, assessed, documented and managed effectively.

3. **Risk Assessment (RA)**. The residual risks associated with M&T activity should be tolerable or broadly acceptable, and ALARP. In order to demonstrate that the residual risks are tolerable or broadly acceptable, and ALARP, a risk management process should be followed. This process should be documented and demonstrate that a suitable and sufficient risk management process has been followed which is proportionate to the perceived level of risk.

3.1 A suitable and sufficient RA should be undertaken for each M&T activity, to determine the level of risk. This is determined by combining the frequency (likelihood of occurrence) of an accident and the consequence (severity of harm) of that accident. The qualitative judgement can be informed by quantitative data to determine the appropriate risk classification. It is likely that a more quantitative approach will be required where an activity poses significant risk. The risk assessment should be based upon a risk tolerability matrix which will be tailored to the system and have justification supporting its structure. This matrix provides the framework for the prioritisation of risk and accident according to its tolerability. The RA should include reference to:

a. The safe conduct of M&T activities.

b. The management of M&T safety.

c. Defining the roles and responsibilities of those undertaking M&T activity.

d. Defining how the evidence of M&T inherent safety should be documented in any safety and environmental case and its validity maintained.

3.2 When conducting any M&T activity personnel should give full consideration to:

a. The management of risk to create a safe working environment.

b. Appropriate adjustments to procedures and working practises to take into account the working environment, complexity of the task and competence of the personnel involved.

c. The potential for injury to persons, damage to the environment and possible legal consequences that might result from actions conducted during the activity.

3.3 Stakeholders should identify hazards, assess the risks and implement effective control measures to minimise or remove risks. An example of Service/TLB safety initiatives can be found in DSA01.1.

3.4 Any change within the working environment has the potential to introduce new hazards. Key stakeholders are to ensure that the correct management process (i.e. RA, safe systems of work etc.) is applied to ensure proper control of any changes to manning, organisation, policies, standards, procedures, technical specifications and the introduction of new equipment.

3.5 The divergent and challenging nature of M&T activities gives rise to a number of hazards at varying degrees of risk. Where a formal generic RA exists for a M&T activity, the person in charge of that activity should ensure that a dynamic RA is carried out prior to the commencement of any activity.

3.6 **As Low As Reasonably Practicable (ALARP)**. As soon as a hazard is identified within the M&T environment, which has the potential to cause harm, the owner of that activity should, in order to satisfy their duty of care, take immediate steps to reduce the risk posed to those who may be affected. With any risk, there will come a point where the safety benefit of reducing it further is negligible compared to the costs of doing so. It requires a balance to be made between costs and benefits. This balance should be biased towards safety: risk reduction may only cease when the cost is grossly disproportionate to any benefit achieved. The overall aim should be to provide an activity where all residual risk is reduced to a level that is ALARP.

4. **Contracted activity**. Those planning, managing, supporting or undertaking M&T activity, including commercial providers, should have arrangements in place to ensure that all contracts regarding M&T activities contain appropriate clauses in respect of Defence regulatory requirements.

4.1 **Legal exemptions for contractors**. Where Defence contractors are employed as service providers for M&T activities, the contractor may not enjoy the same level of legal exemptions afforded to the armed forces. As such an LCA should be conducted.

4.2 **Contracted personnel**. Contracting tasks or activities outside the MOD does not discharge MOD's obligation to manage safety and environment protection within M&T activities. Those planning, managing, supporting or undertaking M&T activities should have suitable arrangements in place to ensure that personnel under contract are made aware of and comply with Defence safety requirements.

4.3 **Contracted services**. The contractor has a duty to ensure that all workers are competent for the related task. Those planning, managing, supporting or undertaking M&T activities should take reasonable steps to ensure the competence of those carrying out work under their direct control, and those responsibilities and lines of communications should be properly established and clearly laid down.

4.4 **Contractor management**. Those planning, managing, supporting or undertaking M&T activities, including commercial providers, should have appropriate arrangements in place to provide assurance for contracted activities. Consideration should include:

a. Audit and review of the contractor performance and delivery against Defence requirements.

b. Defined operating standards and/or key performance requirements for contracted staff to conduct M&T activities.

c. Compliance with legislative and Defence requirements.

Guidance Material

JSP 375: Management of Health and Safety in Defence

ANNEX A TO MTSR DCOP NO 3 - GENERAL M&T ACTIVITY

Aim

1. This Annex sets out the key safety considerations and standards to be applied for safe movement of vehicles and materiel by all modes of transport. Primarily aimed at the activity of loading, restraining and unloading materiel, it identifies the key roles and responsibilities of those involved in the process while outlining the key requirements and considerations for managing the safe conduct of the activity.

Applicability and Scope

2. This document is applicable to all personnel, contractors and partners employed by MOD who are engaged in the movement of vehicles and materiel.

Planning and Preparation

3. The movement of vehicles and materiel should be planned so that it is managed and controlled in order for the operations to be conducted safely and in accordance with all regulatory requirements. Those Suitably Qualified and Experience Person (SQEP) responsible for controlling all or part of the activity should ensure they are suitably prepared for the task and that it is executed safely.

4. Before any movement activity take place, the planning and preparation process should ensure that:

   a. A safe environment is provided.

   b. Safe processes are in place.

   c. Effective management and control systems are established.

   d. Appropriate SQEP and resources are provided.

5. Any reduction in the standards defined in this DCOP should only be considered when the Person in Charge (PIC) has made the relevant assessment and put in place sufficient measures to reduce identified risks to ALARP.

Roles and Responsibilities

6. The roles and responsibilities for those personnel involved in movement activity should be clear, identified and understood. The extent of designated personnel employed will be determined by the size and nature of the task and the conclusions to the planning, reconnaissance and relevant operating procedures for the environment.

7. As a minimum, there should be an appointed person to oversee the whole activity and, where required sufficient SQEP should be appointed for those elements of the activity that demand specifically qualified and experienced personnel. The emphasis should be to ensure that all relevant responsibilities are covered during the planning and execution of the task. How this is to be achieved should be determined by the authority directing the activity and those employed to execute it.

8. Dependant on the variations and size of the activity, some roles may not be required, equally individuals could be given responsibility for filling multiple roles (i.e. a consignor could also be the PIC, the nominated representative and the relevant supervisor for the task), providing the individual appointed is SQEP in all of the delegated roles.

9. The PIC is the single appointment responsible for ensuring the appropriate SQEP are tasked prior to operations commencing. Equally the PIC should have the authority to prevent operations taking place until such a time as the relevant SQEP are present.

10. Personnel with specific roles and responsibilities for M&T activities should be identified and tasked during the planning phase and engaged in the preparations, dependant on the type of activity to be conducted. A list of key roles is shown at Appendix 1 to this Annex.

Execution

11. The key execution considerations relevant to the movement of vehicles and materiel should be addressed in full and clearly documented before any movement activity takes place. Method Statements should be utilised to specify the processes and standards required to be achieved to ensure safe movement activity. A Method Statement should provide direction and guidance on the conduct of the activity and clearly define roles and responsibilities. As a minimum, a Method Statement should cover the following points:

a. Control and supervision.

b. Safety briefings and emergency procedures. (Records to be maintained.)

c. Preparation of the site.

d. Preparation of the loading/unloading area.

e. Preparation of vehicles/containers/freight for loading/unloading.

f. Vehicle movement, manoeuvring and marshalling procedures.

g. Loading/unloading procedures (including, vehicles, general cargo, containers and multiple loads), use of winches, load positioning, equipment suitability, etc.

h. Load safety and load restraint requirements.

i. Exiting the site.

j. Documentation requirements.

k. Acceptance/refusal of the load.

l. Requirements for periodic load security/safety checks.

Conduct of Operations – General

12. As a minimum prior to any activity commencing, the following should have been carried out:

a. Those responsible for the activity are present and have control of the site.

b. Dynamic risk assessment conducted and actioned.

c. Briefings delivered to all personnel involved in the operation by those appointed personnel, covering safety and the management and control of the operation.

d. The PIC has ensured that all personnel employed in the activity are made aware of the nature of any site hazards, hazardous cargo or contents and that all appropriate safety measures are in place.

e. The Load Supervisor has confirmed that all personnel employed have received the mandatory safety briefings.

f. The PIC has an Emergency Action Plan and has communicated it to all personnel.

g. Appropriate PPE is issued and worn.

h. Arrangements are in place to ensure that any observation or concern that could affect safety is immediately brought to the attention of the PIC or Load Supervisor.

Conduct of Operations

13. No activity, including movement within the marshalling, loading and staging areas or any ramp or transport platform should commence unless the Load Supervisor is present and has given authority to do so.

14. Where applicable, MOD Tie Down Schemes (TDS) or load plans should be provided to the transport operator. Where none exist, MOD should provide all relevant data (weights, dimensions etc.) to allow the operator to safely restrain the load.

15. Care should be taken to ensure that all items of loose freight are packed, loaded and restrained so as to prevent movement of individual parts and the total load whilst in transit. Only approved and maintained restraint systems should be used.

Completion of Operations

16. The Load Supervisor should ensure that the full consignment has been loaded to the satisfaction of the transport operator, that everything has been accounted for and despatch notifications sent.

Right to Refuse the Load

17. All materiel presented that is deemed to be dangerous to transport, leaking or incorrectly prepared for movement should be rejected. The consignor is responsible for taking all action to rectify, report and coordinate an alternative movement plan.

18. The transport operator has the right to refuse a load until such time as they deem the load to be restrained satisfactorily. The operator may apply a TDS which differs from the MOD recommended TDS. In this scenario, providing the proposed TDS does not demonstrate any obvious potential for damage to the vehicle or load, or which appears to be unsafe, the transport operator's preference should be accepted.

19. Where any individual believes that the method of restraint adopted will lead to damage to the vehicle (e.g. restraint assemblies crushing brake lines, hydraulic pipes, etc.) then this should be brought to the attention of the Load Supervisor, so that it can be rectified in consultation with the transport operator.

Periodic Load Security/Safety Checks

20. It is strongly recommended that Transport Operators inspect the security of their load after a short distance (15-30 minutes), in order to check that no movement has taken place and to ensure that restraining devices are fully secure. Periodic checks should also be made during rest breaks and any other opportunity throughout the course of the journey.

APPENDIX 1 TO ANNEX A TO MTSR DCOP NO 3 - ROLES AND RESPONSIBILITIES

1. Personnel with specific roles and responsibilities for M&T activities should be identified and tasked during the planning phase and engaged in the preparations, dependant on the type of activity to be conducted. Such roles include:

a. **Person in Charge (PIC)**. The PIC is the person nominated as being in charge of the activity(s), responsibilities include:

(1) Overall responsibility for the safe conduct of all operations.

(2) Coordinating with the Load Supervisor for safe systems of work to be put in place.

(3) Liaison with the Site Safety Manager (SSM) for a full safety brief for the location they are operating in.

(4) Completing Risk and Dynamic Risk Assessments for the location and the activities.

(5) Providing safety briefs to all personnel to be employed in the activities.

(6) Controlling access to the site.

(7) Providing authority for activity to commence under the control of the relevant supervisors.

(Note: Where an activity is being conducted and the SSM is not readily identifiable, the SSM responsibilities fall to the PIC).

b. **Site Safety Manager (SSM)**. The SSM is responsible to the Site Authority[1] for providing a safe environment for all activity that takes place within their Area of Operation (AOR). The SSM should ensure that risk assessments are conducted, safety briefings provided, safe systems of work implemented and should ensure that all of the activity is controlled, managed and executed safely in accordance with legislative requirements.

c. **Load Supervisor (LS)**. The LS should be suitably qualified with the key knowledge skills and experience to assume responsibility for ensuring that all loading, restraint and unloading activities are conducted safely and in compliance with legislative and Defence regulatory requirements, responsibilities include:

(1) Supervision of safe loading, restraint and unloading activity.

(2) Coordination with the PIC to ensure safe systems of work are in place.

(3) Ensuring personnel have received the appropriate safety briefings.

(4) In coordination with the PIC and the SSM as appropriate, identifying and controlling a safe area for all loading, restraint and unloading operations to take place.

(5) Authorising and controlling the commencement of activity.

(6) Conducting a handover on completion of activity.

d. **Vehicle Marshaller**. The vehicle marshaller is responsible for ensuring the safe manoeuvring of the vehicle during activity. The vehicle marshaller should always ensure that they and all personnel are not placed in a position of danger.

[1] This could be a MOD site or commercial location.

e. **Vehicle Driver**. The vehicle driver is responsible for driving the intended load (vehicle and trailer) from the loading area onto the carrying platform or unloading it from the platform to a safe area. The vehicle driver is to ensure that the load is driven safely at all times in accordance with the appropriate vehicle operating instructions.

f. **Transport Operator**. The transport operator is responsible for the safe operation and preparation of their transport platform (road vehicle, train etc.), including the safety of the load during transit.

g. **Mechanical Handling Equipment (MHE) Operator**. The MHE operator is responsible for ensuring that all MHE (including Container Handling, Cranes etc.) is used in accordance with its design parameters and that control and safety of the activity in the operating area is maintained.

h. **Consignor**. The consignor is responsible for all aspects of the preparation, packing, documentation and despatch of the consignment.

i. **Dangerous Goods (DG) Consignor**. Where appropriate, the consignor/User Unit should ensure it has appropriately trained DG consignors to ensure the safe and compliant conduct of activity.

j. **Rail Loading Supervisor (RLS)**. The RLS should be SQEP with the appropriate key knowledge skills and experience to assume responsibility and overall control and co-ordination of all activities regarding the rail loading/unloading operation.

k. **Railway Company (RC)**. The RC is responsible for the safe operation of the train.

l. **RC Load Supervisor** A person appointed by the RC (i.e. Wagenmeister) who is competent and authorised to inspect and accept rail loads for movement on the rail network. This person should also ensure that any work conducted in the area in which shunting and marshalling takes place is supervised and controlled.

m. **Train Driver/Shunter**. The train driver/shunter is responsible for ensuring that all rolling stock are correctly positioned and prepared for loading and unloading and for the formal receipt and handover of the load prior to the rolling stock being moved. They are also responsible for ensuring that immobilisation devices (e.g. couplings/brakes/jacks/hem shoes are removed prior to the train leaving).

n. **User Unit**. The user units are responsible for the provision of work party personnel, equipment and load restraint as directed by the Controlling Movement Authority (CMA).

o. **Officer In Charge (OIC) Work Party**. The OIC Work Party is responsible for the conduct and discipline of all personnel undertaking work party duties under their charge. The OIC Work Party is to ensure all activities are conducted as directed by the PIC and RLS.

p. **OIC Freight Party**. The OIC Freight Party is responsible for the conduct and discipline of all personnel undertaking work party duties under their charge. The OIC Freight Party is to ensure all activities are conducted as directed by the PIC and RLS.

q. **Traffic Team**. The traffic team are responsible for carrying out the orders of the LS in order to ensure an aircraft is loaded/unloaded safely.

r. **Air Cargo Supervisor**. The Air Cargo Supervisor is responsible for the receipt, consolidation and presentation of all materiel to the Load Supervisor for loading to the aircraft.

s. **Air Cargo Handling Equipment (ACHE) Driver**. The ACHE Driver is responsible for ensuring ACHE is used in accordance with its design parameters and that control and safety of the activity in the operating area is maintained.

t. **Shipper**. The shipper is responsible for all aspects of the planning, preparation, packing, documentation and despatch of the consignment through to its final destination.

u. **Civil Aviation Authority Dangerous Goods Shipper (CAA DG Shipper)/ Dangerous Goods (DG) Consignor**. The Consignor/Shipper/user unit is to ensure that they have an appropriately trained Consignor/Shipper for the completion of all DG documentation and have completed the required CAA DG training in accordance with IATA DGR or JSP 800, Vol 4A.

v. **Quay Foreman (QF)**. The QF should be suitably qualified and experienced to assume responsibility for the supervision of all loading, restraint and unloading activities.

w. **Port Task Group Commander (PTG Comd)**. When a PTG is activated, a PTG Comd should be appointed. The PTG Comd is responsible for the management and control of all personnel within the PTG and for liaising with all military and commercial authorities to ensure the conduct of the sea movement tasks are compliant with the defined standards from the commercial authority and the CMA. The PTG Comd is ultimately responsible to the chain of command for the safe and orderly conduct of personnel and materiel through the SPOE/D.

x. **Vessel Chief Officer (CHOFF)**. The CHOFF is ultimately responsible for ensuring the proper and safe restraint of all vehicles and cargo and the coordination with all movements agencies and movements activities aboard the vessel.

y. **Ganger**. A nominated Port Operator who will be suitably qualified and experienced to assume responsibility for the supervision of all loading, restraint and unloading activities as detailed for the QF, when no QF is present.

z. **Cargo Transport Unit (CTU)** Supervisor. For all container movement activities a CTU Supervisor is required. The CTU Supervisor should have completed the CTU Supervisors Course at the Defence Movements Training Squadron (DMTS) RAF Brize Norton and is responsible for the conduct and discipline of all defence personnel undertaking container stuffing/stripping duties under their charge in accordance with JSP 800, Vol 3, by carrying out all procedures IAW current local safety regulations, conducting dynamic risk assessments and giving safety briefings including the wearing and use of PPE. They should ensure that the containers and equipment are fit for purpose and that all loads are secured and restrained iaw JSP 800, Vol 7 (Joint Service Movement Data and Tie Down Schemes) or by MOD approved methods. Commencement of work is not permitted until the CTU Supervisor confirms that it is safe to do so.

aa. **Port Control Officer (PCO)**. The Port Control officer (usually located within the SMC) is responsible for the coordination and control of all movements within the Port. The Port Control Officer controls convoy marshalling areas, checks and consolidates all export documentation including DG and books onward movement of import cargo that owner units cannot move e.g. plant equipment, armoured vehicles, and dead/VOR vehicles.

bb. **Unit Deployment Officer (UDO)/Unit Mobility Officer (UMO)**. The UDO/UMO is responsible for advising the Commander on all aspects of movements and ensuring that the unit is properly prepared for all modes of movement. They should ensure that all personnel who are, or likely to be involved in the movement process have been appropriately briefed and trained (if appropriate) prior to arriving at the PTG sea transit centre.

cc. **Stevedores**. The ships authorised loading party either military Port Operators or civilian contractors who assist with the marshalling and order of vehicles to be loaded and ensure the physical restraint of vehicles/freight/containers using the correct lashing equipment to the satisfaction of the first officer.

dd. **Deck OIC**. The Deck OIC is responsible for the safe control of all movements on an allocated deck for both loading and unloading.

ee. **OIC Marshalling Area**. When a marshalling area is utilised the OIC Marshalling Area is responsible for ensuring that all movement activities and administrative arrangements relating to the Marshalling Area are conducted safely and ensure the steady flow of vehicles to either the vehicle checkpoint or crane lifting point for loading operations.

ANNEX B TO MTSR DCOP NO 3 - WORKPLACE TRANSPORT SAFETY

1. **Workplace transport safety**. Those responsible for the conduct of workplace activities on the Defence Estate, or elsewhere where Defence funded or controlled vehicles or equipment are used, should ensure such activities are conducted safely. Traffic routes should keep vehicles far enough away from doors or gates used by pedestrians, or from pedestrian routes that lead to or from them. Workplace traffic routes should be maintained and be suitable for the people and vehicles using them.

2. Workplace transport refers to any MOD provided vehicle or piece of mobile equipment used in any work setting; be that on the Defence estate or a public place. It covers a wide range of vehicles, from cars, vans, LGVs and lift trucks, to less common vehicles such as tracked or armoured vehicles, plant vehicles, airfield or dockside vehicles and container movers.

3. Vehicles moving on public roads are not usually classed as 'workplace transport', because road traffic laws cover any associated risks in more detail than general health and safety law. However, public roads are temporary workplaces, for example during roadside deliveries, road works or breakdown assistance, so health and safety law applies.

4. On the Defence estate vehicle movement is an intrinsic part of day-to-day life. Steps should therefore be taken to ensure that those operating or driving vehicles do so safely and with due consideration to others who may be affected by their actions. The CO/HOE should therefore ensure that:

a. A written health and safety policy for the site exists and is available to all personnel.

b. Risk Assessments (RA) are prepared for every area of the workplace where an M&T activity is conducted, or could be expected to be conducted. The RA should assess the potential risks to the health and safety of anyone affected by the activity, including employees and members of the public.

c. Suitable arrangements are in place for the effective planning, organisation, control, monitoring and review of preventive and protective measures identified by the RA.

d. Personal protective equipment (PPE) is provided where there are risks to health and safety and which cannot be adequately controlled in other ways.

e. Information, instruction, training and supervision is provided to ensure employees' health and safety at work. This should include the employment of a suitably trained road safety advisor.

f. All workplace and work equipment is maintained in a safe condition.

g. All employees and their representatives be consulted on health and safety matters.

h. Co-operate and co-ordinate where employers share a workplace.

5. **Safe site (Design)**. All workplaces on the Defence estate should be safe for the people and vehicles using it. A well-designed workplace that ensures vehicles and pedestrians are segregated should make transport accidents less likely.

a. **Segregation**. The most effective way of ensuring pedestrians and vehicles move safely around a workplace is to provide separate pedestrian and vehicle traffic routes. Where possible, there should also be a one-way system as this will reduce the need for vehicles to reverse, helping pedestrians and drivers.

(1) Circumstances might mean that complete segregation is not possible, so consideration should be given to have clearly marked pedestrian and vehicle traffic routes, using measures such as barriers and signs. There should be separate entrances and exits for vehicles and pedestrians. Vision panels should be installed on doors that open onto vehicle traffic routes.

(2) Where pedestrian and vehicle traffic routes cross, they should be clearly marked using measures such as dropped kerbs, barriers, deterrent paving etc., to help direct pedestrians to the appropriate crossing points.

b. **Traffic routes**. The general principles for safe traffic routes should be considered; these are:

(1) Routes are wide enough for the safe movement of the largest vehicle.

(2) Road surfaces are suitable for the vehicles and pedestrians using them, e.g. firm, even and properly drained. Outdoor traffic routes should be similar to those required for public roads.

(3) Use of steep slopes be avoided.

(4) Use of sharp corners and blind bends be avoided.

(5) Keep routes clear of obstructions.

(6) Ensure routes are clearly marked and signposted.

(7) Ensure routes are properly maintained.

(8) Some parts of a workplace, such as cast-iron columns, storage racking, pipework and cables, are vulnerable to impact from vehicles and should be protected.

c. **Temporary traffic routes**. Temporary workplaces, e.g. construction and forestry sites, often have routes for vehicles and pedestrians that change as work progresses. Where possible, these routes should comply with the same basic standards described for permanent traffic routes.

d. **Visibility**. Visibility should be good enough for drivers to see hazards, and pedestrians to see vehicles. Adequate visibility for drivers is related to vehicle speed and the distance needed to stop or change direction safely. Consider having mirrors where sharp or blind bends cannot be avoided.

e. **Speed reduction**. The reduction of vehicle speed is an essential element of workplace transport safety. Fixed traffic control measures such as speed humps, chicanes and ‘rumble strips’ can reduce vehicle speed. It is important to select the most appropriate control as the wrong measure can increase risk by, for example, reducing vehicle stability. Speed limits should be used, but they need to be appropriate, properly enforced and, where possible, consistent.

f. **Signs, signals and markings**. Signs for drivers and pedestrians in a workplace should be the same as those used on public roads. Wherever a suitable sign exists, they should be well positioned and kept clean. Where driving is likely to be carried out in the dark, illuminated or reflective signs should be used. White road markings should be used to regulate traffic flow, and yellow markings should be used for parking. Wherever possible, such markings should be reflective and well maintained.

g. **Lighting**. Every transport workplace should have suitable and sufficient lighting, particularly in areas where:

(1) Vehicles are required to manoeuvre, or pedestrians and vehicles circulate and cross.

(2) Loading and unloading activities take place.

(3) Care should be taken to ensure there are no sudden changes in lighting levels that may lead to a driver being dazzled.

6. **Safe site (Activity)**.

a. **Reversing**. Many accidents involving vehicles on the Defence estate occur as a result of poor reversing. This results in considerable damage to vehicles, equipment, property and injury to individuals. Consideration should therefore be given to reducing the requirement for vehicles to reverse. The adoption of a one-way system is one of the best ways to reduce the requirement to reverse. Where it is it not feasible to provide a one-way system, consideration should be given to establishing drive-through loading and unloading zones; parking areas with entrances and exits on either side; and suitable areas to allow vehicles to turn and drive forward. Where reversing cannot be avoided, the following measures should be considered:

(1) Establish and clearly mark dedicated ‘reversing areas’ using longitudinal guides or white lines that are clearly signposted for both drivers and pedestrians.

(2) Design or modify existing reversing areas, e.g. by making them larger, to improve visibility for both drivers and pedestrians.

(3) Exclude non-essential personnel from areas where vehicles are reversing.

(4) Fit fixed mirrors or other visibility aids in the workplace to improve visibility around vehicles.

(5) Consider installing reversing aids on vehicles, such as CCTV and reversing sensors.

(6) Use a trained banksmen (signaller), but only when all other options have been exhausted.

b. **Signalling**. The role of banksmen (or signallers) is to guide drivers and make sure reversing areas are free of pedestrians. Where there is a requirement to manoeuvre vehicles, the use of banksmen should be considered. Banksmen should:

(1) Be trained.

(2) Remain clearly visible to drivers at all times.

(3) Use a clear and recognised system of control signals.

(4) Adopt a safe position throughout reversing operations.

(5) Drivers are to be made aware that they are to stop immediately the banksman goes out of view.

c. **Parking areas**. Parking areas should be clearly indicated with separate parking areas for commercial and private vehicles. There should also be designated areas where commercial vehicles can be loaded and unloaded.

(1) When vehicles are parked, their parking brakes should always be applied. On most trailers disconnecting the emergency airline does not apply the trailer parking brake.

(2) Drivers should never leave a vehicle unattended without ensuring both the vehicle and the trailer are securely braked, the engine is off and the key to the vehicle has been removed.

(3) Where appropriate, trailer legs should be lowered to the ground.

d. **Coupling and uncoupling**. Drivers and those who have overall control of sites (site operators) should ensure that coupling and uncoupling areas are well lit, with firm and level surfaces.

e. **Training of Drivers**. Drivers should be properly trained and have their work monitored by those responsible for operations to make sure they follow a safe system of work, involving the use of trailer and tractor unit parking brakes as appropriate.

f. **Loading and unloading**. To minimise the risks to those involved in loading and unloading, information should be provided to drivers on the nature of the load and how it should be properly loaded, secured and unloaded. This information should accompany the load and be available to those involved in the loading, transportation and unloading activities. Before commencing loading and/or unloading activities the following should be considered:

(1) Be clear of traffic and people not involved in the activity.

(2) Be conducted on level ground.

(3) Be segregated from other work areas.

(4) Be clear of overhead cables, pipes, or other obstructions.

(5) Be protected from bad weather where possible.

(6) Vehicles and trailers have their brakes applied and all stabilisers are in the correct position prior to commencement.

(7) A safe place for drivers to wait.

(8) Measures are introduced to prevent vehicles being driven off during either loading or unloading. These should include:

(a) Traffic lights on loading bays.

(b) Vehicle or trailer restraints.

(c) Keeping keys in a safe place, e.g. with a ‘custody’ system.

g. **Tipping**. To reduce incidents where vehicles overturn during tipping operations, site operators and drivers should co-operate with each other and ensure:

(1) Tipping is carried out on level ground.

(2) The tractor unit and trailer of articulated vehicles are aligned.

(3) Wheel stops are used where possible.

(4) The tailgate is released and secured before tipping.

(5) No pedestrians are in the tipping area.

(6) The vehicle is not left unattended and cab doors are closed.

(7) There are no overhead obstacles, such as power lines.

(8) Where a loads stick during tipping the following measures should be taken:

(a) The vehicle should not be driven to free the load (the body should be lowered and then raised).

(b) Drivers should not climb onto the raised tipper section to free the load.

(c) Mechanical 'vibratory discharge systems' can help to free a stuck load.

h. **Overturning**. To minimise the potential for a vehicle to overturn, site operators and drivers should consider:

(1) Vehicle suitability.

(2) The condition and slope of the surface.

(3) The operating speed of the vehicle.

(4) Traffic routes that avoid sharp bends.

(5) The nature and positioning of the load.

(6) Drivers should be monitored to ensure they follow safe systems of work, e.g. they are wearing seat belts which should be used even if a roll-over protection system is fitted.

i. **Sheeting**. To prevent falls from height when sheeting, the following steps should be taken:

(1) Avoid the need to work at height wherever possible, i.e. sheet from the ground.

(2) Where work at height cannot be avoided, use measures such as platforms with barriers to prevent falls.

(3) If there is still a risk of a worker falling, use personal protective equipment to minimise both the distance and consequences in the event of a fall.

(4) At each step, always consider measures that protect everyone who is at risk (e.g. barriers) before measures that only protect the individual (e.g. fall-arrest systems).

(5) The walkways of working platforms should be made of non-slip material. Consult vehicle manufacturers before installing any vehicle-based sheeting system.

j. **Housekeeping**. Traffic routes should be free from obstructions and kept clean. Signage should be cleaned and maintained so that it remains visible and effective.

7. **Safe vehicles**. Vehicles used in the workplace should be suitable for the purpose for which they are used.

a. **Vehicle Suitability**. Consideration should be given to the working environment in which vehicles are to be used and the suitability of that vehicle for the people using it.

(1) The Road Vehicles (Construction and Use) Regulations 1986 set the standard for the design and construction of vehicles used on public roads. Most vehicles used in the workplace should meet this standard, but in some cases, there are specific supply standards for mobile plant (e.g. some lift trucks).

(2) Warning devices such as rotating beacons and reversing alarms should be fitted, and conspicuous painting and marking can be used to make a vehicle stand out to pedestrians.

(3) Drivers should be able to see clearly around their vehicle, so consider measures such as CCTV and special mirrors where visibility is restricted.

(4) Vehicles should be designed so that, wherever possible, those who use them can do their work from the ground. Where people have to work at height on vehicles, suitable means of safe access onto and around vehicles should be provided. Consulting with those who will use a vehicle is a key part of developing its specification.

b. **Maintenance**. Vehicles should be maintained in good working order so they remain mechanically sound, and any devices, such as flashing beacons, function properly. Vehicles such as lift trucks and those with tail lifts should be thoroughly examined by a competent person and reports kept:

(1) Planned inspections are a vital part of preventative maintenance. These should include daily safety checks carried out by drivers and regular maintenance inspections based on time or mileage.

(2) Drivers should be provided with a list of the daily checks to be signed off at the start of each shift. This should be monitored to ensure the checks are carried out properly.

c. **Safe driver**. Drivers should be competent to operate a vehicle safely and receive appropriate information, instruction and training for the vehicle they use. It is particularly important that younger or less experienced drivers are closely monitored following their training to ensure they fulfil their duties safely.

d. **Competence**. Where drivers are employed their levels of ability should be proportionate to the role they are expected to perform. The following should be considered:

(1) For new employees. Recruitment and placement procedures should be in place to ensure all new drivers are competent.

(2) For existing employees. Make sure they have, and continue to have, the skills and experience needed to operate a vehicle safely. If the work changes, drivers should receive the necessary training to carry out the modified task safely.

e. **Training**. Training requirements will depend on an individual's experience and the training they have previously received. A RA should help decide the level and amount of training a person requires.

(1) In general, newly recruited drivers have the greatest training needs but there should also be a programme of reassessment for more experienced drivers.

(2) It is important to assess the information provided by newly appointed drivers, particularly in relation to their training and experience. They should also be monitored on-site, to establish both their actual level of competence and any further training needs.

(3) A training record should be held for each driver. This will help to ensure the most appropriate person is allocated a particular task and identify those requiring refresher training.

f. **Fitness to operate**. No individual should drive or operate a vehicle on the Defence estate or a public road unless they are fit to do so. A person's fitness to drive/operate a vehicle should be judged on an individual basis but the aim is to match the requirements of the task with the fitness and abilities of the driver/operator. Detailed advice on medical standards of fitness to drive is published by the Drivers Medical Unit of the Driver and Vehicle Licensing Authority (DVLA): www.dft.gov.uk/dvla/medical/ataglance.aspx.

8. **Other considerations**. In addition to the key areas of site, vehicle and driver safety, the following areas should be taken into consideration when managing workplace transport safety:

a. **Consultation with employees**. There is a legal requirement to consult with employees, in good time, on health and safety matters. In workplaces where a trade union is recognised, this will be through union health and safety representatives. In non-unionised workplaces, consultation should be either directly or through other elected representatives. Consultation involves employers not only giving information to employees but also listening to them and taking account of what they say before making health and safety decisions.

b. **Shared premises**. Employers, employees and the self-employed who share a workplace should co-operate and communicate with each other on the site.

(1) Site operators should take responsibility for co-ordinating any health and safety measures and ensuring everyone on-site understands their health and safety responsibilities and the site rules.

(2) Vehicles on which employees of more than one company are at work are considered shared workplaces, for example, where contracted employees are loading a trailer owned by a distribution company.

(3) Whenever this occurs, those involved should be fully aware of their roles and responsibilities before any activity is undertaken. Clear, written instructions and information should be available to those involved.

c. **Public access**. The general public may not have access to MOD workplaces, however MOD personnel or contracted workers may need to move about the Defence estate where vehicles operate. As they may generally be unfamiliar with the workplace, they should be kept away from any work activities wherever possible. Where this is not possible, suitable traffic management arrangements should put in place to:

(1) Control pedestrian access.

(2) Separate people from vehicles.

(3) Control vehicle movements.

(4) Monitor activities on-site.

d. **Contractors**. Employers and the contractors they use have duties under health and safety law. When using contractors (e.g. visiting drivers and agency staff), the following should be considered:

(1) Take into account skills, knowledge and experience.

(2) Provide them with relevant information, such as vehicle and pedestrian traffic routes, speed limits, designated loading, unloading and parking areas and site rules. Make sure you consider foreign drivers, e.g. provide information in other languages.

(3) Liaise with them to consider the risks from each other's work activities and agree how the work will be undertaken.

(4) Monitor them to ensure they work safely and comply with the site rules.

(5) Set up any arrangements for co-operation and co-ordination.

(6) Ensure action is taken when they operate in an unsafe manner.

9. **Contracted activity**. Those holding safety or environmental responsibilities should ensure that all contracts regarding M&T activities contain appropriate clauses in respect of Defence operational policy, assurance and inspection.

a. **Contracted staff**. Contracting tasks or activities outside the MOD does not discharge MOD's obligation to manage safety and environment protection within M&T activities. Those holding safety and environmental responsibilities should ensure suitable control measures of staff under contract in order to assure themselves that safety and environmental protection continues to meet their requirements. This assurance should include the ability to understand and accept the Safety and Environmental Case, and authorise the residual risks identified within it.

b. **Contracted services**. The contractor has a duty to ensure that all workers are competent for the related task. Those holding safety and environmental responsibilities should take reasonable steps to ensure the competence of those carrying out work under their direct control, and those responsibilities and lines of communications should be properly established and clearly laid down. All associated risks of contracted M&T activities should be either Broadly Acceptable or Tolerable and ALARP.

c. **Contractor audit**. Those holding safety and environmental responsibilities should conduct regular audits and reviews of the safety and environmental protection arrangements required by Defence and its contractors.

d. **Contractor management**. Where Defence contractors are employed as service providers for M&T activities, the following should be given consideration:

(1) A contractor may not enjoy the same level of legal exemptions afforded to the Armed Forces.

(2) Those setting a contract should ensure the contractor is operating legally and is compliant with legislation.

e. Those responsible for setting commercial contracts should define operating standards and/or key performance requirements for contracted staff to conduct M&T activities, in particular**:**

(1) **Road**. Where a contractor operates vehicles that are in excess of 3.5t MAM, or carry more than 8 passengers, they should hold an Operator's Licence. The contractor is responsible for meeting all terms and conditions of the licence set by the relevant Traffic Commissioner.

(2) **Rail operations**. Contractor management reporting should include meaningful indicators of contractors' performance against key performance indicators.

10. **Hazardous substances safety data**. Where a contractor provides products that contain hazardous substances, mixtures and articles, the appropriate Defence acquisition authority and relevant commercial branch responsible for setting the contract should ensure applicable safety data is provided to cover the procurement, use and disposal of the product. Such requirements should be included in all appropriate Defence contracts.

MTSR DCOP NO 4 - MONITORING AND REVIEWING M&T PERFORMANCE

Regulation	Those planning, managing, supporting or undertaking M&T activity shall ensure that arrangements are in place to provide an effective means of monitoring, reviewing and reporting safety and environmental performance.
Sub Clauses	1. **Assurance, audits and inspections**. Those responsible for the management of M&T activity shall undertake suitable and sufficient audits and inspections to assure that risks are appropriately managed. 2. **Documentation**. Documentation relating to M&T activity shall be legibly maintained and be readily accessible for audit and inspection.
Rationale	The conduct of any M&T activity has potential to be an extremely dangerous working environment. To that end management at all levels not only needs to ensure that risks are identified, measures introduced to reduce risk, but also that timely reviews of activity are conducted to ensure a safe culture exists and is maintained. It is vital that M&T related processes and safety information is retained, therefore, procedures need to be in place to ensure that this information is auditable, tracked and preserved. To be effective this requires those holding safety and environmental responsibilities to ensure that an effective means of monitoring, reviewing and reporting safety and environmental performance exists.
Defence Code of Practice (DCOP)	1. **Assurance, audits and inspections**. Those holding safety and environmental responsibilities should have an effective means of monitoring, reviewing and reporting safety and environmental performance. 1.1. Audits and inspections of M&T activity should be conducted by TLBs, units and establishments to ensure compliance with national, international and Defence regulatory requirements. Records of findings and outcomes are to be retained and made available for inspections as required. Audits and inspections are usually conducted at 3 levels: a. **Level 1 - Internal audit**. Conducted by the unit/establishment undertaking M&T activity. b. **Level 2 - Top Level Budget (TLB) audit**. Conducted by higher formations or HQs on units and establishments within their area of responsibility. c. **Level 3 - External audit**. MTSR will undertake audits and inspections in respect of all Defence M&T activity. It will also monitor the conduct of Level 1 and Level 2 audits conducted by units and the TLB. Other external regulators or statutory authorities may conduct external audits on Defence as necessary. 2. **Documentation**. Management arrangements should be in place to establish and maintain procedures to control those documents that support risk and safety management, accountability and use, training records and other appropriate data relevant to the M&T activity conducted in their AOR, ensuring that: a. Documents should be made available to those that require access.

b. Changes are reviewed and approved by the Duty Holder and communicated to all personnel with a need to know.

c. Control and configuration of documents should be effective.

d. Documents should be valid and amended as required. Obsolete documents should be promptly removed from circulation when no longer required.

2.1. Documentation, such as operating and maintenance procedures that identify requirements for the safe operation of a system, should be made available to users.

2.2. Archived Documentation. Owners of Defence M&T policy should stipulate the requirements to hold documentation for audit.

Guidance Material

DSA 01.1 Defence Policy for Health, Safety and Environmental Protection

BS OHSAS 18001:2007 Occupational health and safety management systems

ISO 14001: Environmental Management Systems

JSP 375: Management of Health and Safety in Defence Handbook

MTSR DCOP NO 5 - DEFENCE DRIVER LICENCE ACQUISITION

Regulation

Those responsible for Defence driver licence acquisition activities shall ensure that appropriate arrangements are in place for the management, effective control and supervision of the Defence licence acquisition process for entitled personnel.

Sub Clauses

1. **Legislative standards**. Those responsible for the provision of driver licence acquisition, training and testing processes, shall ensure that all activity conforms to national and international standards for entitled personnel.

2. **Provision and management**. Those involved in the management of the Defence licence acquisition process shall provide appropriate arrangements to control, manage and record:

   a. Driving licence applications, including appropriate medical and security checks,

   b. Driver training (theory and practical) activity, and

   c. Driver testing (theory and practical).

3. **Defence Licensing and Testing Authority** (**DELTA) and Theory Test Centres (TTC)**.

   a. A DELTA and TTC shall require a licence to operate.

   b. Personnel involved in the licence application or driver training and driver testing process shall be formally appointed, appropriately trained and managed.

4. **Data management**. Management arrangements shall be in place to ensure communication of test results are compliant with requirements of the appropriate national licencing authority.

Rationale

In order to maintain operational capability, Defence has a number of Disapplications, Exemptions or Derogations (DED) from UK legislation. The Motor Vehicle (Driving Licence) Regulations 1999 authorises the Secretary of State for Defence (SofS Def) to manage driving licence applications, driver training and testing of MOD Crown Servants.

In order to ensure that standards are maintained, legislative requirements are used as the baseline for developing Defence requirements. This regulation outlines Defence specific requirements to compliment legislation while putting in place appropriate standards to ensure that DEDs are appropriately managed and that Defence has suitable controls in place.

Defence Code of Practice (DCOP)

Legislative Standards

1. EU & UK legislation permits Defence to provide an in-house driver training, testing and licensing process for its staff and other authorised personnel. Such permissions should not be taken lightly and Defence needs to ensure that this be rigorously defended against fraud or misuse. The implementation of robust regulatory procedures is key to protecting its right to train and test. Personnel found to be in breach of this regulation may be subject to Defence disciplinary action or civil prosecution.

1.1. **Testing of Armed Forces and MOD personnel**. The Defence entitlement to apply for a driving licence, be trained to drive and take a driving test at public expense is limited to Armed Forces personnel (regular and reservist) and MOD civil servants. Specific entitlements are detailed in Defence policy.

1.2. **Testing of visiting forces**. Visiting forces may enjoy the same exemptions as those applying to the Crown. These are:

a. Under the visiting Forces and International Headquarters (Application of Law) Order 1999, visiting forces may be tested under MOD derogation providing they hold a valid GB driving licence.

b. To enable visiting forces to carry out their duties, a legislative agreement exists for military vehicles to be driven by the holder of a driving permit issued in the country that sends the force or permit issued by the Service Authorities.

c. All EC member states and non-EC visiting forces listed in Schedule 1, Article 3(1) of the Visiting Forces Order 1999, may drive British registered and temporarily imported vehicles on the strength of a domestic driving permit issued in a country outside the UK.

1.3. **Testing of dependants of Service personnel**. Dependants of Service personnel working for, or in support of, the MOD and based in Germany or Cyprus are permitted to sit Driver theory tests at MOD TTC, provided they hold a provisional driving licence issued by the Driver and Vehicle Licensing Agency (DVLA) or the Driver and Vehicle Agency Northern Ireland (DVANI) and pay commercial rates.

1.4. **Training and testing of non-entitled personnel**. The provision of driver training and/or testing to non-entitled persons is forbidden.

1.5. **Medical standards.** Personnel entitled to gain a driving licence at Crown expense should meet all appropriate medical standards pertaining to that Category of driving licence.

1.6. **Licence applications**. Applications for driving licences and driving tests for entitled personnel should be processed through a licensed DELTA.

1.7. **Contracted training**. Where driver training is provided under contract the TLB setting the training requirement should also provide Level 2 assurance for the activity.

1.8. **Memorandum of Understanding (MOU)**. The MTSR is responsible for the coordination, development and maintenance of Defence level MOUs between the MOD and appropriate Government Department or Agency setting such legislation. The following MOUs are in place:

a. MOD and the Driver and Vehicle Standards Agency (DVSA)

b. MOD and DVA NI

c. MOD and DVLA

1.9. Each MOU provides an agreed framework regarding the procedures required to be adopted by Defence in respect of the application and issue of UK driver licences and the associated testing requirements for authorised and entitled personnel. The MOUs are reviewed on an annual basis and include specific reference to:

a. **Age dispensations**. The Armed Forces are granted an exemption from the minimum age limits for drivers in categories A, C1, C1+E, C, C+E, D1, D1+E, D, D+E and H when driving a MOD owned or operated vehicle for MOD purposes. The minimum age for military drivers is 17.

b. **Provisional licence applications**. Full-time serving members of the armed forces (not the Reserve Service) may apply for both ordinary and vocational provisional entitlements in one application.

c. **Staged testing**. Full-time serving members of the armed forces (not the Reserve Service) can undertake a period of staged testing for Categories C1, C1+E, C, C+E, D1, D1+E, D, D+E, G, in sequence and then claim all the tests in one application.

d. **The use of full Category A entitlements by armed forces personnel**. Armed forces personnel under 24 years old are permitted to train and be licenced to ride motorcycles over 35kW when driving a MOD owned motorcycle for Defence purposes when on duty.

e. **Carriage of passengers**. Armed forces personnel holding a Category C licence entitlement may drive a Category C vehicle, fitted with approved seating for a maximum of 24 passengers, when being driven for Defence purposes when on duty.

1.10. **Category H (AFV) Testing**. Defence is permitted by MOU to conduct a Category H (AFV) driving test, providing the driver holds a valid Category B driving entitlement.

2. **Provision and management**. Those responsible for the provision of Defence policy relating to licence applications, driver training and driver testing should ensure that the requirement of robust management arrangements are clearly documented. Management arrangements should, as a minimum, include:

a. Provision of arrangements that ensures only authorised individuals are trained and tested.

b. A clear documented process for gaining provisional driving licence entitlements.

c. A clear documented process for post-test licence management and subsequent destruction of superseded licences.

d. Clear documented methodology for the conduct of all driver training (theory and practical) for all categories of driving licence.

e. Clear documented methodology for the conduct of driving tests (theory and practical) for all categories of driving licence.

f. The management, administration and necessary interfaces relating to driving licence applications, driver training and driver testing processes and procedures, as required by National awarding or licensing bodies.

2.1. Whilst Defence policy should define the levels of responsibilities required to effectively manage and operate its driving licence acquisition, driver training and driver testing processes, there should also be DELTA policy to define the administrative standards necessary to process applications for a driving licence provided at public expense. This should include:

a. Authority to Test Defence and Armed forces personnel, and dependants.

b. Licence application standards and application procedures.

c. Driver theory and practical training standards.

d. Driver theory and practical testing standards.

e. Standards for managing or providing driving instruction and testing.

f. Training of DELTA and managerial staff.

g. Provision and use of IT within the DELTA

h. Maintenance of the Military Automatic Driving Licensing Issue (MADLI) system

3. **Defence Licensing and Testing Authority (DELTA).** A licence, issued by MTSR is required to establish and operate a DELTA. The Defence Regulations articulated here are annotated as conditions of a licence. If a DELTA is non-compliant with a Defence Regulation the licence may be withdrawn and enforcement action is likely to be taken. If the licence is withdrawn, operation of the facility would be expected to cease. General conditions of licensing are:

a. The licence will be time limited. The period of validity will be dependent on the long term performance of the DELTA, but will not exceed a maximum period of 3 years.

b. The licence will be reviewed on any changes to the organisation or on any change of supervising staff.

3.1. **Regulatory governance and assurance**. MTSR is responsible for the control and issue of Licences for the TLB to establish a DELTA to process, control and manage driving licences application and conduct driving tests. TLB who establish a DELTA are required to provide an appropriate framework which assures the integrity of all Defence driver licence acquisition, training and testing. Assurance requirements are as follows:

a. Level 1 - DELTA Management. An 'In-House' self-certification process or formal annual inspection.

b. Level 2 - TLB HQ or nominated representative. Each TLB shall provide an annual independent TLB inspection regime to ensure probity of its centralised DELTA, associated management and all training and testing processes.

c. Level 3 - An external assurance audit and inspection conducted by MTSR, Driver and Vehicle Standards Agency (DVSA), Driver and Vehicle Licensing Agency (DVLA) or other national equivalents.

3.2. **Provision and management of the Defence driver training and testing process**. Each FLC/TLB has authority to establish a DELTA to provide the centralised administrative and management facilities to meet its driving licence acquisition, driver training and driver testing requirements.

3.3. The DELTA should be established and managed at the BLB/HLB Headquarters and/or training establishments where driving licence acquisition training is required.

3.4. The location of a DELTA could be based on:

a. Geographical Areas.

b. Subordinate commands/units.

c. Unit locations.

d. Annual driving test requirements.

e. Assistance to other TLB.

f. Level of training required.

3.5. The DELTA should act as the focal point within the BLB/HLB Area of Responsibility (AOR) and be geared to provide appropriate advice and guidance regarding MOD licensing and testing to units with that AOR.

3.6. **Management of the DELTA**. Each TLB operating a DELTA should ensure that it has in place a suitable managerial tier to oversee and authorise all DELTA activity and provide sufficient staff to operate the various functions for a successful driving licence acquisition processes. This should include, but is not limited to:

a. **Delegated Authority (DA)**. A senior officer, equivalent to OF 5, should be nominated to act as the DA. The DA should be responsible for all procedural elements of the driving licence acquisition process within the DELTA AOR.

b. **Authorised Officer (AO)**. An AO should be appointed to oversee and authorise all activity within the DELTA. The AO should be a minimum rank equivalent to OF 3.

c. **DELTA Supervisor**. That the day-to-day supervision and operation of the DELTA should be the responsibility of a Warrant Officer (or Civil Servant Band D) or above and be a qualified, and current, Defence Driving Examiner (DDE).

d. **DELTA office manning**. The DELTA should be manned by one or more Administrator with a minimum military rank of either substantive Sgt, Civil Servant Band E1, Locally Employed Civilian or contracted staff equivalent. Where a DELTA comprises of a theory and/or practical training and/or testing facility, there should be sufficient staff to administer both facilities.

3.7. **Theory Test Centres (TTC)**. Where a TLB provides a TTC it should be appropriately managed to ensure compliance. As a minimum, arrangements should cover the following considerations:

a. Office location.

b. Office manning.

c. Office accessibility and conditions of use.

d. Use and security of IT systems.

e. Conditions of training and Invigilation of testing.

f. The process for data down-loading.

3.8. Robust procedures should be in place to ensure that:

a. Theory training and testing is provided to entitled personnel only.

b. Testing is only be permitted on test routes that have been approved in accordance with Defence policy.

3.9. **Chief Defence Driving Examiner (CDDE)**. Those responsible for the provision of training and testing of Defence Driving Examiners (DDE) should nominate an individual to act as the CDDE. The CDDE shall be responsible for setting and maintaining Defence standards for driver testing, provision of training for Defence Driving Examiners (DDE) and liaison with other government departments and their agencies to ensure that Defence testing remains aligned with national and international standards.

3.10. **Senior Defence Driving Examiners (SDDE)**. The training of DDE should only be provided by a qualified SDDE. A SDDE is an individual who is an experienced DDE, is specifically employed to provide DDE instruction and who has subsequently qualified on an approved DVSA driving examiner training course.

3.11. **DELTA and TTC resource**. The TLB of each DELTA should ensure that sufficient SQEP staff are recruited to maintain the integrity of the DELTA process. Appropriate training should be provided to all DELTA and TTC administrative and managerial staff. In particular, the following SQEP should be maintained:

a. Management and Supervisors.

b. Administrative Staff.

c. Driving Instructors.

d. Driving Examiners.

e. TTC Invigilators.

f. Unit Licensing Officer.

3.12. Those undertaking DA and AO roles should be briefed on the requirements of the DELTA and their roles and responsibilities within the driver licensing, training and testing process.

3.13. **Defence Driving Examiners (DDE)**. DDEs should be provided with sufficient and appropriate training, with regular reviews, to ensure that standards of testing are maintained commensurate with national standards. Arrangements should be in place to ensure that only qualified and current DDEs conduct driving tests.

3.14. A DDE may only examine individuals who are members of HM Forces (including the Reserve Forces and Cadet Force adult instructors) and MOD civil servants who hold a driving licence issued by the Driver and Vehicle Licensing Agency (DVLA) or Driver and Vehicle Agency Northern Ireland (DVANI), with the appropriate provisional entitlement.

3.15. **DDE recertification**. A DDE should be recertified at a period not exceeding 2 years.

3.16. **DDE standards**. The minimum suitability standards for employment as a DDE are:

a. To hold a full and valid Category C+E driving licence. In addition, a DDE should have held a full and valid Category C driving licence entitlement for a minimum of three years with no more than 3 current penalty points and no serious convictions (e.g. drinking and driving) in the last 4 years.

b. Hold the minimum rank of substantive Senior Non-Commissioned Officer or civilian equivalent (Grade D).

c. To hold the appropriate licence category, completed the appropriate training and be experienced on each vehicle for which they are required to conduct driving examinations or assessments.

d. To remain current, a DDE should conduct a minimum of 20 formal driving examinations per rolling year.

4. **Data management**. Those responsible for the management of DELTA should ensure that robust arrangements are in place to ensure the integrity of data and processing of management information; including:

a. All licence applications are accurately documented and recorded onto the DELTA Management Information System (DELTAMIS).

b. Full and accurate records of all DDEs are maintained, including details of Continuous Professional Development, driving tests undertaken etc.

c. On completion of a driving test, a DDE should communicate the result of the test to the relevant DELTA. Information should be passed at the earliest opportunity.

d. DELTA staff should record the test result onto DELTAMIS, taking care that the information recorded is accurate.

4.1. The DELTA controlling authority should ensure that a robust system is in place to:

a. Record and retain details of all licensing activity regarding theory and practical testing conducted by MOD.

b. Notify the appropriate UK licensing authority of all test passes by the next working day.

c. Enable the timely rectification of data input errors.

d. Respond to direction given by UK licensing authorities for driving licence, or driving test, negations, revocations, etc.

Guidance Material	EU Driving Licences Directives Motor Vehicle (Driving Licences) Regulations 1999

MTSR DCOP NO 6 - SPECIFIC REQUIREMENTS FOR THE CARRIAGE OF DANGEROUS GOODS

Regulation

Those planning, managing, supporting or undertaking M&T activities shall ensure that arrangements are in place for the safe preparation and consignment of articles, equipment or substances classified as Dangerous Goods (DG).

Sub Clauses

1. Those responsible for the transport of DG shall use and comply with all relevant DG legislation, modal regulations and Defence requirements relevant to the mode of transport used.

Appointments and Training

2. **Dangerous Goods Safety Advisor (DGSA)**. Where a TLB is routinely required to transport DG by road and/or rail, it shall formally appoint a DGSA. Where a TLB utilises contract support to transport DG by road and/or rail, it shall ensure that the contractor(s) engage their own DGSA.

3. **Authorised Representative (AR).** A formally trained AR shall be present to prepare and supervise the loading and unloading of a Cargo Transport Unit (CTU) when utilised for the carriage of DG of UN Class 1. The AR shall be competent for all anticipated modes of transport.

4. **Government Authorised Explosive Representative (GAER)**. A formally trained GAER shall be appointed to oversee and advise on the safe transit of military explosives through a port or harbour area.

Consignment Procedures

5. **Acceptance and rejection procedures**. Those responsible for the consignment of DG shall ensure that procedures are in place to ensure that the goods are compliant with the requirements for all anticipated modes of transport. All non-compliant DG consignments shall be appropriately managed.

6. **Safety handling**. Consignments of UN Class 1 and 7 are subject to additional special safety requirements.

   a. Goods of UN Class 1 shall only be handled, loaded, unloaded or stabled in an area licenced for that purpose.

   b. Goods of UN Class 1 shall always be carried in compliance with full regulatory requirements. Limited Quantity (LQ) provisions shall not be applied to military consignments.

   c. Arrangements shall be in place to notify personnel engaged in handling goods of UN Class 1 when the Meteorological Office declares a Thunderstorm Level/Risk High or Medium warning.

   d. Goods of UN Class 7 shall only be handled, loaded, unloaded or stabled in authorised areas.

Transport Operations

7. **Transport documents**. Those responsible for the consignment of DG shall ensure that appropriate safety information and transport documentation are provided in respect of the DG being carried. The transport document shall accompany DG consignments at all times.

8. **Dual compartment vehicle.** For road movement, DG consignments shall only be transported in a dual compartment vehicle.

9. **Old cargo vehicles**. Vehicles constructed prior to 01 Jan 1997, shall not transport DG of UN Class 1 in a quantity that exceeds the load limits for an EX/II type vehicle.

10. **Proof of training**. When transporting DG by road, all drivers, attendants and essential vehicle crew shall carry proof of DG qualification.

11. **Stowage of Cargo Aircraft Only (CAO) DG**. DG classified as CAO shall not be stowed in lower cargo holds of aircraft.

Rationale

While the provisions of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) do not apply to the Armed Forces and there are DEDs available in relation to UK legislation, it is a Defence requirement that DG be transported in compliance with UK and International modal regulations. The Defence inventory and capability requirements necessitate that MOD stores, handles and transports a vast amount of goods that have been classified as dangerous for transport, some of which are unique to the military environment. This regulation outlines Defence specific requirements to compliment legislation while putting in place Defence regulation to ensure that DEDs are appropriately managed, and that Defence has suitable controls in place for this high hazard activity.

Defence Code of Practice (DCOP)

1. When DG is to be transported the relevant legislation and modal regulations applicable to the mode of transport used should be consulted to ensure that the transport is completed safely and in full compliance.

1.1 The following international modal regulations should be used depending on the mode. These are:

a. Road – European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR)

b. Rail – Regulations concerning the International Carriage of Dangerous Goods by Rail (RID)

c. Sea – International Maritime Dangerous Goods Code (IMDG)

d. Air – International Air Transport Association Dangerous Goods Regulations (IATA DGRs)

1.2 When DG transport is within solely within UK the following national legislation should be used:

a. Great Britain:[1] Road & Rail (All Classes) – SI2009/1348-The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 (as Amended) (CDG)

b. Northern Ireland: Road & Rail (Class 1) – SR2010/59-The Carriage of Explosives Regulations (Northern Ireland) 2010 (as Amended) (CER(NI))

[1] Great Britain – England, Scotland and Wales.

c. Northern Ireland: Road & Rail (Classes 2 to 9) – SR2010/160- The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2010 (as Amended) (CDG(NI))

d. Transport through GB Harbours and Ports – SI 2016/721-The Dangerous Goods in Harbour Areas Regulations 2016 (DGHAR) and the Approved Code of Practice.

e. Transport through NI Harbours and Ports – SR 1991/509- Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991 (DSHAR(NI))

1.3 When DG is transported by sea to or from UK, within UK waters or carried by a UK registered ship worldwide then the following UK legislation should be used:

a. SI1997/2367 – The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations.

b. In addition, UK legislation is supported by a series of Merchant Shipping Notices (MSN), Marine Guidance Notes (MGN) and Marine information Notes (MIN) published by the Maritime and Coastguard Agency (MCA).

1.4 When transport of DG is by the Channel Tunnel the regulations produced by the tunnel authorities the ADR Regulated Goods - The Practical Guide, should be used.

1.5 For transport of DG within a foreign country the local DG legislation and regulations should be complied with, but the standards applied should not be below those required in UK.

a. AMovP-6 – Allied Multi-Modal Transportation of Dangerous Goods Directive, should be used for military transport within a NATO country, covers all modes

b. USA – Code of Federal Regulations Title 49, Sub-Title B, Chapter I (CFR 49) - covers all modes of transport to, from or within the USA.

c. Canada – Transportation of Dangerous Goods Regulations (TDG), covers all modes of transport to, from or within Canada.

d. Germany - German Regulation on the Transport of Dangerous Goods by Road and Rail (GGVSE), covers road and rail transport within Germany.

Appointments and Training

2. **DGSA.** Each TLB involved in the transport of DG are to ensure that a suitably qualified and certified DGSA is appointed to provide appropriate advice and guidance on the transport of DG. The appointed DGSA will be required to undertake the roles and responsibilities of the DGSA as defined in the modal regulations. In legislation, the requirement to appoint a DGSA is specified for road and rail transport only, however it is a Defence requirement that the DGSA should be aware of, and be able to provide advice on, all modes of transport. Details of the appointed DGSA are to be notified to MTSR SO1 Regulate.

2.1. TLB DGSAs responsibilities include:

a. Monitoring compliance of DG activities with all relevant modal and Defence regulations.

b. Providing support to units and establishments within the TLB through DG advice and guidance.

c. Production of a TLB based annual DGSA report.

2.2. Where a TLB engages a contractor for the carriage of DG, the TLB has a duty to ensure that the contractor has arrangements in place for the employment of a DGSA.

2.3. **Theatre DGSA**. Where British Forces serve or operate overseas, a theatre DGSA should be nominated. In addition to being trained in international regulatory requirements, the Theatre DGSA should also be trained in the national requirements for the transport of DG in the country of operation. The Theatre DGSA should be formally appointed with their details notified to the national authorities where appropriate.

2.4. **Unit DG Focal Point** (DGFP). The TLB appointed DGSA should ensure that all units and establishments within their area of responsibility nominate a suitably qualified DGFP to manage, monitor and ensure compliance regarding DG activities. A DGFP should be nominated by any unit or establishment that are involved in:

a. The consignment or transport of DG.

b. The procurement of substances or articles that have been classified as dangerous for transport.

c. The procurement of equipment that contain articles or substances that have been classified as dangerous for transport.

3. **Authorised Representative (AR).** Where a TLB is involved in the transport of DG of UN Class 1 by road or rail, which exceed the quantities shown in para 2.1 below, they are to ensure handling, loading and unloading of those goods are supervised by a qualified AR.

3.1. The following loads do not require the presence of an AR during loading and unloading. The thresholds detailed at sub-paragraph a - c below are not cumulative. However, the activity should be risk managed:

a. Hazard Compatibility Code (HCC)1.4S.

b. Hazard Division (HD) 1.4 other than HCC 1.4S in quantities not exceeding 50kg Net Explosive Mass (NEM).

c. Flares and signalling devices of HCC 1.2G and 1.3G in quantities in not exceeding 10kg NEM.

d. Movement exclusively on MoD training areas and ranges.

3.2. The AR responsibilities include ensuring:

a. Suitability and serviceability of CTUs.

b. NEM limits are not exceeded.

c. Stowage, segregation and documentation requirements are met.

d. Drivers and crew are correctly briefed on the nature of the load, associated hazards and route to be followed.

e. Safety procedures are observed.

f. Appropriate action is taken to rectify unsafe practices or violations.

3.3. For air movement, the AR responsible for loading/unloading of Class 1 DG onto aircraft is to hold an appropriate air acceptance qualification.

4. **Government Authorised Explosive Representative (GAER).** Where a consignment of UN Class 1 is to pass through a port or harbour area, a GAER is to be appointed. The GAER is to ensure that all military explosives are handled, stowed and restrained in compliance with current legislation, meeting the requirements of the Government Indemnity.

4.1. The following do not require the presence of a GAER during loading and unloading. The thresholds below are not cumulative. However, the activity should be risk managed:

a. Consignments of UN Class 1 of HD 1.4 of all Compatibility Groups (CG).

b. Articles for lifesaving in HD 1.1, 1.2 or 1.3 where the total NEM does not exceed 50kg per ship.

c. Closed CTUs containing explosives, if the total net explosive mass does not exceed 250 kg per ship.

d. Articles in HD 1.1, 1.2 or 1.3 in CGs: B, C, D, E, G or N which do not require 'Special Stowage', up to and including 50kg NEM.

e. Where the loading or unloading operation takes place overseas and the shipment utilises liner service containers via DSCOM Global Freight Transportation Service (including ferry crossing, when the load is accompanied).

f. Where loading/unloading DG of UN Class 1 deemed to be ships stores. The presence of an AR may be required to supervise the loading/unloading of any road or rail CTU.

4.2. The GAER is the MOD's representative at the harbour and will be present throughout the movement of military explosives through the harbour. The GAER is responsible for ensuring that the movement is carried out safely and in accordance with the Regulations. They are responsible for bringing immediately to the attention of the harbour master and/or the Service department concerned any unsafe practices or violations of regulations they may observe. Specific responsibilities include:

a. Liaison with the Harbour Master in order to pre-plan the move in advance of its commencement;

b. Ensuring that the fire-fighting arrangements at the port meet the statutory requirements;

c. Ensuring that containers, their marking and paperwork conform to the requirements of the transport and shipping regulations;

d. Ensuring that packages containing military explosives have been identified with the correct hazard label;

e. Checking that the port has made adequate plans for dealing with emergencies.

f. Familiarising themselves with the requirements of the shipping regulations, so that they can check the stowage arrangements on board and ensure there are no incompatibilities;

g. Provision of competent advice to the Harbour Master or his representatives on the action to be taken in the event of any packages being damaged or found with a broken seal, or any explosives (including ammunition) which are known or observed to have deteriorated or are believed to have become less safe (e.g. a dropped fused article).

Consignment Procedures

5. **Acceptance and rejection procedures**. Consignors and transport operators are to have arrangements in place to ensure that all consignments offered or accepted for carriage are compliant for transport by all anticipated modes.

5.1. **Acceptance**. An acceptance check should be conducted on all DG that is presented for carriage to ensure that it is fully compliant with the DG modal regulations and Defence DG requirements.

5.2. **Rejection**. When a package/load is found to be non-compliant, it should be rejected for carriage. The consignment should be safely and securely stored until rectified. A notification system should be in place to inform the consignor of the non-compliance(s).

6. **Safety handling**. DG of UN Classes 1 and 7 require specific safety handling conditions to be applied.

6.1. **Handling of UN Class 1**. UN Class 1 goods are only to be handled, loaded, unloaded and stabled in an area licenced for that purpose. The limits and restrictions of the licence should be complied with in full.

6.2. **UN Class 1 packaged as Limited Quantity (LQ).** Although modal regulations permit LQ packaging provisions to be applied to certain products classified as HCC 1.4S, Defence does not permit any DG of UN Class 1 to be transported as LQ.

6.3. **Thunderstorms**. A formal system should be used to notify personnel handling Class 1 DG whenever a Thunderstorm Level/Risk High or Medium warning is declared.

6.4. **Handling of UN Class 7**. Goods of UN Class 7 are only be handled, loaded, unloaded and stabled in an area designated and authorised in local Radiations Safety Standing Orders.

6.5. **Road transport of unused munitions**. Class 1 DG that are to be transported from ranges and training areas should be prepared as follows:

a. Full unopened packages of Class 1 DG are to remain sealed for transport.

b. Opened, part used boxes of Class 1 DG, are to have the voids filled and once closed the box should have a temporary seal fitted.

c. Class 1 DG for which the packaging is no longer available should be suitably packed into separate ammunition containers by nature.

d. Class 1 goods packaged as above, may be transported back to the ranges or training area to be expended.

Transport Operations

7. Only essential crew should be permitted to travel in MOD transport used for the transport DG. Passengers should only be permitted to travel where modal regulations allow and it is reflected in Defence policy. Personnel should be issued with PPE and safety equipment as appropriate.

7.1. **Provision of information**. Those responsible for the consignment of DG are to ensure transport operators are provided with appropriate safety information and documentation regarding the DG being carried.

7.2. **Safety information**. Safety information should include:

a. Sufficient information concerning the nature of the load and actions to be taken in the event of an emergency.

b. The carrier's unit title and 24hr contact number.

c. A 24hr emergency telephone number.

d. For the carriage of DG of UN Class 1 DG by road, the vehicle crew should be provided with written information concerning the load:

(1) This Notice to Crew document should be annotated with the contact telephone numbers of the Consignor and the Carrier, which should be manned for the duration of the active road carriage.

(2) The AR or appropriate competent person should ensure that the driver and vehicle crew read the information document and acknowledge the requirements before the vehicle is despatched.

(3) The information document should be provided in the appropriate language(s) that the driver and crew can read and understand.

7.3. **Transport document**. All Defence DG consignments are to be accompanied by an appropriate transport/consignment document. Documentation is to be prepared to cover the requirements for all modes of transport that are expected to be utilised. The documents are to accompany the consignment through all stages of the process.

7.4. All personnel completing and signing DG transport documents should have received relevant modal training in the transport of DG and the completion of the transport document. The safety declarations and packing certificates on transport documents and manifests are to be signed by someone who is SQEP.

7.4.1. **Surface transport document**. A Dangerous Goods Note, should be used for Defence DG consignments by road, rail and sea. DG packaged as LQ or EQ by road or rail transport, should be accompanied by a Freight Movement Note indicating the class of DG that is transported in LQ or EQ and the number of packages.

a. **Road transport document**. ADTP 2012 Road Derogation 2 is not applied by UK Defence for packaged DG transported by road that is below the ADR Threshold. A Transport Document should always be provided to the driver to accompany the DG Load.

b. **Rail transport document**. The derogation from RID at RID 5.4.1.2.1(f) is not applied for UK military rail consignments. All Class 1 goods carried by rail as a military consignment should be documented to show the proper shipping name as part of the description of the DG.

7.4.2. **Air transport document**. A DG consignment document should be used for all Defence DG consignments by air, whether administrative or in support of operations or exercises.

7.4.3. **Troops in Fighting Trim (TIFT)**. Where authorised as a TIFT a formal declaration for TIFT flights should be used to support the transport document.

7.5. **Retention of documents**. Transport documents and associated documentation should be retained by the consignor and the carrier, for the minimum period of time after completion of the carriage, as follows:

a. Any HCDG - 5 years.

b. DG of Class 7 - 2 years.

c. All other DG - 3 months.

8. **Dual compartment vehicle**. To provide safety to the driver and authorised vehicle crew all DG are only to be carried within a separate compartment.

8.1. It is accepted that goods may be required for immediate use on operations or exercises (depending on Defence capability). On these occasions, or where the DG are packaged in LQ or Excepted Quantities (EQ), the commander responsible for the activity may, subject to a formal risk assessment, authorise carriage in a single compartment vehicle.

8.2. The following UN Class 1 goods may be carried in a single compartment vehicle where:

a. HCC 1.4S which are correctly packed and sealed in the approved service Ammunition Container Assembly (ACA).

b. Compatible flares and signalling devices of Hazard Division (HD) 1.2, 1.3 and 1.4 which are correctly packed and sealed in their ACA.

9. **Old cargo vehicles.** Vehicles constructed prior to 01 Jan 1997, are not to be used for the transport DG of UN Class 1 in a quantity that exceeds the load limits defined in for an EX/II type vehicle.

9.1. While vehicles constructed prior to 01 Jan 1997 do not require an ADR Certificate of Approval, in signing the Authority to Use document for military vehicles, the transport manager is signing to confirm that the vehicle is suitable for the safe carriage of DG of UN Class 1.

10. **Proof of training**. Drivers, attendants and vehicle crew are to ensure that they carry on their person proof of DG qualification when engaged in transporting DG. Failure to carry proof of competence may prevent loading or unloading at Defence depots.

10.1. Training providers should issue a proof of training document that can be readily carried by the driver and vehicle crews. The proof of training document should include the following information:

a. **Details of the individual**. As a minimum the name of the Individual.

b. **Type of training**. Details of the training that has been completed by the person.

c. **Modes of transport**. The modes of transport for which the training has been completed.

d. **Date of qualification**. The date from which the qualification is valid.

e. **Expiration date**. The date at which the qualification will expire and recertification training may be required.

f. **Any restrictions**. Any operating restrictions applicable to the training provided.

g. **Issuing authority**. Details of the place of training that is certifying validity of the qualification and competence of the person.

11. **Stowage of DG categorised as Cargo Aircraft Only (CAO).** DG that are classified and labelled as CAO are not to be stowed in lower cargo holds of aircraft.

11.1. DG presents a significant risk to the safety of aircraft. All DG, particularly those goods categorised, as CAO should be stowed in such a way that the goods are under observation, with hazard information is clearly visible and should be readily accessible at all times. DG of UN Class 1 (Except those in HCC 1.4S) should be restricted to main deck stowage only.

Guidance Material

Specific guidance and Defence safety policy regarding the transport of DG by all modes of transport can be found in JSP 800 Vol 4A - Dangerous Goods by Air Regulations and JSP 800 Vol 4B Dangerous Goods by Road, Rail and Sea. Full reference should be made to the following key documents:

Road - The European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR)

Rail - Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID)

Sea - International Maritime Dangerous Goods Code (IMDG Code)

Air - International Civil Aviation Organisation Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TIs)

Air - Supplement to ICAO Technical Instructions for the Safe Transport of Dangerous Goods.

Air - Annex 18 to the Convention on International Civil Aviation Organization The Safe Transport of Dangerous Goods by Air

Air - International Air Transport Association, Dangerous Goods Regulations (IATA DGRs)

Channel Tunnel - Channel Tunnel ADR Regulated Goods - The Practical Guide

UN Recommendations on the Transport of Dangerous Goods

UN Manual of Tests and Criteria

CAP 483 - Training in the Safety Transport of Dangerous Goods by Air

CAP 642 - Airside Safety Management

MAA001 - Military Aviation Authority Regulatory Policy

Emergency Response Guidance for Aircraft Incidents Involving Dangerous Goods

JSP 392 - Radiation Safety Handbook.

JSP 482 – MoD Explosives Regulations

JSP 515 - Hazardous Stores Information System

JSP 762 - Weapons and Munitions Through Life Capability

JSP 862 - MoD Maritime Explosives Regulations.

JSP 886 - Defence Support Chain Manual.

JSP 930 - Generic Maintenance, Inspection, Certification & Testing (MICaT) of Vehicles

STANAG 4441 and AMovP-6 - Allied Multi-Modal Transportation of Dangerous Goods Directive

PGA 1974/37 Health and Safety at Work etc. Act 1974

Directive 2008/68/EC of the European Parliament and of the Council on the Inland Transport of Dangerous Goods.

SI 2016/765 Civil Aviation Air Navigation Order 2016

SI 2002/2786 Civil Aviation The Air Navigation (Dangerous Goods) Regulations 2002

SI 2009/1348 The Carriage of Dangerous Goods and Use of Transportable Pressure Receptacles Regulations 2009 (As Amended)

SR 2010/59 The Carriage of Explosives Regulations (Northern Ireland) 2010 (CER(NI))

SR 2010/160 The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2010 (CDG(NI))

SI 1997/2367 The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997

SI 2016/721 The Dangerous Goods in Harbour Areas Regulations 2016 (DGHAR)

SR 1991/509 Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991

SI 2005/894 The Hazardous Waste (England and Wales)Regulations 2005

SI 2005/1806 (W.138) The Hazardous Waste (Wales) Regulations 2005

SR 2005/300 The Hazardous Waste Regulations (Northern Ireland) 2005

SI 2004/112 The Special Waste Amendment (Scotland) Regulations 2004

SI 1984/1890 The Freight Containers (Safety Convention) Regulations 1984

MTSR DCOP NO 7 - M&T REPORTING

Regulation

Those responsible for the management, support and conduct of M&T activity shall ensure that all accidents, incidents and non-compliances are reported, recorded and appropriately investigated.

Sub Clauses

1. **Accident, incident and non-compliance reporting**. All TLB shall ensure that arrangements are in place to record, document and investigate M&T activity related accidents, incidents and non-compliances.

2. **Reporting of M&T non-compliance**. Accidents, Incidents, near-misses and non-compliances involving M&T activity shall be reported to MTSR.

3. **Reporting of vehicle related accidents**. All MOD vehicle related accidents and incidents shall be reported by the responsible unit to:

    a. The appropriate Department's Claims Handler, and

    b. The MTSR IMPACT Data Cell.

Rationale

Accurate and timely occurrence reporting and effective investigation is fundamental to identifying M&T Safety risks and delivering effective mitigation.

Defence Code of Practice (DCOP)

1. **Incident and non-compliance reporting.** Wherever an incident, or instance of non-compliance, involving M&T activity occurs, it should be reported, recorded and investigated.

1.1. Each TLB should monitor incident and non-compliance reporting for trends and, where required, take appropriate remedial action to prevent recurrence.

1.2. Non-compliance reports and learning accounts should be made available to provide an informed, collective agreement across the Defence so that future episodes of non-compliance could be addressed and lessons learned.

1.3. Defence authorities, commanders and those responsible for the management, supervision and control of activities at all levels should monitor non-compliance, analyse trends, identify causes and ensure that learning accounts are implemented. They should also put in place measures to review and amend procedures/processes in order to prevent further incidents or non-compliances and ensure a culture of continuous improvement is developed and maintained.

1.4. **Reporting of unsafe practice**. Personnel employed in the process of loading, restraint and unloading materiel are responsible for informing the Person in Charge (PIC) or Loading Supervisor of any unsafe practice that they observe or anticipate. The PIC or Loading Supervisor should subsequently react to such concerns and take the appropriate action to ensure such safety concerns are addressed, rectified and reported through the chain of command in order to prevent any reoccurrence.

1.5. **Non-Compliance**:

a. Individuals, organisations or any competent person involved in an M&T activity should identify, correct (where possible) and report all incidents of non-compliance to prevent injuries or fatalities, damage to equipment, property or the environmental.

b. TLB should ensure that all non-compliance incidents are investigated as appropriate, to ascertain the cause/causes of the non-compliance. TLB should monitor all activity, including the acquisition process, for non-compliances. Procedures should include the analysis of trends, identification of causes, implementation of learning accounts and reviews to ensure procedures/processes are in place to prevent further non-compliance. Arrangements should be in place to provide and maintain a culture of continuous improvement.

c. The TLB should inform MTSR immediately of any accident/incidents occurring during conduct of M&T activity which is subject to external investigation (e.g. HSE) and provide copies of any Prohibition Notice or Improvement Notice issued.

1.6. TLBs should ensure that non-compliance reports and learning accounts are used to ensure that an informed, collective agreement is reached with all stakeholders (pan-TLB) with regards to how future episodes of non-compliance are addressed and lessons learned.

2. **Reporting of M&T non-compliance**. Accidents, incidents, near-misses and non-compliances involving M&T activity should be reported to MTSR using the FMov 999 process via the MTSR website application data base. (Link)

3. **Reporting of vehicle related accidents**. All MOD vehicle related incidents and accidents should be reported by the responsible unit as follows:

a. Where the accident, crash or collision involves a third party, results in an injury to any person or has caused damage to any third party vehicle or property, an initial report shall be submitted to the Information Management system for the Provision of Accident Costs and Trends (IMPACT) Data Cell (IDC) and the appropriate Department's Claims Handlers. The report shall be submitted at the earliest opportunity and in all cases within 24 hours. The initial report shall be followed by the submission of the appropriate accident report forms within 5 days.

b. Where the accident, crash or collision does not involve an injury or third party vehicle or property it shall be reported to IDC within 21 days.

Guidance Material

DIN 2017DIN06-006: Claims and insurance provisions for the use of MOD vehicles in the UK and Overseas and Confirmation of Motor Liability Cover

JSP 800 Vol 5 DCOP 2: Liability and insurance arrangements for MOD vehicles

JSP 800 Vol 5 DCOP 3: Vehicle accident and incident reporting

MTSR DCOP NO 8 - HAZARDOUS STORES INFORMATION SYSTEM

Regulation

Those responsible for the procurement of hazardous substances (or equipment containing hazardous substances, mixtures or articles), shall ensure that suitable arrangements are in place to ensure that sufficient, current and appropriate hazardous information and safety data is made available to the user community.

Sub Clauses

1. **Provision of safety information**. Those responsible for the procurement, management, supervision and control of hazardous substances, mixtures and articles shall ensure that appropriate hazard data, safety data sheets and safety information on proposed control measures shall be made available at all stages of the procurement, storage, distribution, use and disposal cycles.

2. **Hazardous Stores Information System (HSIS)**. The Defence Equipment and Support (DE&S) shall, as the designated Defence delivery agent, maintain a system which provides readily accessible hazardous stores and safety information for all products that are designated as, or contain, hazardous substances, mixtures and articles.

Rationale

Safety Information (or Safety Data Sheet (SDS)) provides information on chemical products helping users of those chemicals to make a risk assessment. They describe the hazards the chemical presents, and give information regarding handling, storage and emergency measures in case of accident.

Defence should provide sufficient safety information to ensure that all equipment and stores procured are safe to use and that all risks have been identified, classified and mitigated appropriately.

The non-availability of a SDS could lead to a serious accident, incident or non-compliance with regulations governing use, storage, transport, environmental impact and disposal.

Defence Code of Practice (DCOP)

1. **Provision of safety information**. Those responsible for the procurement of hazardous substances (or equipment which contains hazardous substances, mixtures or articles) should ensure that only those with the lowest level of hazardous risk reasonably practicable are procured.

1.1. **Whole life management**. Those responsible for whole life management should give consideration to handling, storage, transport and disposal requirements throughout the life of hazardous substances, mixtures and articles.

1.2. **Safety information**. Commercial providers and procurement authorities should ensure that the appropriate manufacturer's or supplier's Safety Data Sheets (SDS) is provided to the equipment management authorities at the earliest opportunity, but in all cases the data should be available no later than stock receipt.

1.3. Those responsible for the supply of hazardous substances, mixtures and articles should provide current and adequate safety information. The SDS should be compliant with all legislative and Defence requirements and be:

a. Made available to recipients and those handling the product at least 30 days before receipt and not later than when the stock arrives.

b. Provided in accordance with Registration, Evaluation, Authorisation and restriction of CHemicals (REACH) requirements.

c. Readily available to anyone involved in handling hazardous substances, mixtures and articles.

d. Updated by suppliers when changes to the product or regulations are made

1.4. Those responsible for whole life management should check the quality, validity and accuracy of SDS prior to issue.

2. **Hazardous Stores Information System (HSIS)**. The Defence Authority responsible for the acquisition and through life cycle of Defence stores and equipment should maintain a single Defence system that makes hazardous stores and safety information readily available for all products that are designated as, or contain, hazardous substances, mixtures and articles. In particular they should:

a. Ensure that SDS received from equipment, commercial and base organisations are processed as soon as is reasonably practicable and not later than 48 hrs after receipt.

b. Correlate the SDS with all applicable stores information management systems to ensure the correct hazard classification is registered suitable and that the system holds and provides all relevant information necessary for the issue of SDS.

c. Check SDS for accuracy prior to uploading to the delivery system.

d. Review each SDS held on the system biennially.

e. Clearly identify the revision date on the SDS to ensure the provision of updated change lists to enable users to review their risk assessments.

3. In addition to the biennial review, there is a requirement for SDS to updated when:

a. New hazard information or information that may affect the risk management measures becomes available;

b. A substance or mixture is re-classified according to the CLP Regulation;

c. An authorisation under REACH is granted or refused;

d. A restriction under REACH has been imposed.

4. **Storage and distribution**. Hazardous substances, mixtures and articles should not be distributed, stored, handled or issued to the end user unless a current supplier's SDS is readily available.

4.1. Hazardous substances, mixtures and articles should not be accepted unless a current suppliers SDS is readily available.

4.2. Those responsible for the receipt, handling, storage and use of hazardous substances, mixtures and articles should perform checks to ensure that the identification and classification details provided on the stock correlate with the information provided on the SDS.

4.3. Where a SDS is obtained directly from suppliers of hazardous substances, mixtures and articles, the recipient should forward a copy to the (HSIS) database management authority as soon as possible.

4.4. Those responsible for the procurement of hazardous substances, mixtures and articles should ensure that the identification and classification details on the product correlate with that recorded on the stores information management systems.

4.5. Where stocks are received without a current SDS being readily available within the supply chain, the stock should be quarantined and a non-compliance report should be submitted against the procurement authority.

Guidance Material

HASAWA, Chapter 37, Part 1 Paragraphs 2 and 6 place duties on employers to provide information, instruction, supervision and training.

Registration, Evaluation, Authorisation & restriction of CHemicals (REACH), Article 31 mandates the requirement for provision and standards for SDS.

JSP515 – The MoD Hazardous Stores Information System (HSIS)

http://www.hse.gov.uk

MTSW Non-compliance e-report

MTSR DCOP NO 9 - DESIGN REQUIREMENTS FOR TRANSPORTABILITY

Regulation

Those responsible for the procurement and through life management of Defence equipment shall ensure that arrangements are in place to ensure that equipment is designed and constructed to meet the requirements for load restraint and its safe transportation by any mode.

Sub Clauses

1. **Equipment design and construction**. Defence issued equipment that is likely to be transported by road, rail, sea or air shall have appropriate restraint and lifting points designed, constructed and tested in accordance with national and international legislation, and comply with NATO and Defence Standards.

2. **Restraint systems**. Those responsible for the procurement and through life management of Defence vehicles and major equipment shall ensure that:

   a. Trials are conducted to develop a system for the safe restraint of the equipment during transport in accordance with the statement of user requirement for the vehicle or equipment, the environment(s) it is to be operated in and the mode by which the equipment may be transported.

   b. A Tie Down Scheme (TDS), including movement safety data, is provided for each mode of transport.

   c. Where equipment undergoes modification or upgrade, TDS and documents providing related data are reviewed and amended as appropriate to reflect changes of dimensions, weights, etc.

Rationale

Defence has a responsibility to ensure that all vehicles and major equipment delivered into service meet the requirements for safe movement by the modes and platforms anticipated to carry such vehicle or equipment.

Legal requirements require that all loads be safely restrained and secured, whatever the journey. This is to protect personnel involved in loading, unloading and driving the vehicle, together with other road users and pedestrians.

The transport of vehicles and major equipment is high hazard activity. The requirements of this regulation are designed to meet the conditions of Crown Enforcement Notices served on MOD as a result of previous breaches of legislation.

Defence Code of Practice (DCOP)

1. **Equipment design and construction**. Safe movement will only be achieved by ensuring that all vehicles and equipment are designed to include to sufficient accessible load restraint points of sufficient rating.

1.1. Load restraint and load safety requirements are applicable to multiple consignments combined to form palletised loads or loads comprising of multiple pieces of cargo. This includes loads inside containers and/or vehicles with specifically designed cargo carrying compartments. The security of all items that comprise such a load and the safe handling characteristics of the transport platform should be considered for the entire journey.

1.2. Those responsible for the design or acquisition process and through life management for Defence equipment should include consideration of all relevant multi modal load gauges and load restraint requirements. For all modes of transport, the minimum restraint requirements to be applied should be in accordance with Def Stan 00-3 – Design Guidance for the Transportability of Equipment. Any modification programme for in-service vehicles or equipment should include consideration for the provision/maintenance of restraint points.

1.3. **Road transport**. The minimum restraint requirement for road movement should ensure that the load can be adequately secured to prevent the full weight (1G) of the load moving forward, half the weight (0.5G) of the load moving backwards and half the weight (0.5G) of the load moving sideways.

1.2. **Rail transport**. The minimum restraint requirement for rail movement should ensure that the load can be adequately secured to prevent the full weight (1G) of the load moving forward and backwards and half the weight (0.5G) of the load moving sideways.

1.3. **Air transport**. The restraint criteria for movement by air are divided into 2 main areas; Fixed Wing Aircraft and Rotary Wing Aircraft. The aircraft and cargo types will determine the minimum restraint requirements. Def Stan 00-3 should be consulted in the first instance for the relevant restraint criteria.

1.4. **Sea transport**. The minimum restraint requirement for sea movement should ensure that the load can be adequately secured to prevent the full weight (1G) of the load moving in any direction, including vertically upwards and downwards. Additional restraint considerations apply for military craft and shipping engaged in amphibious operations.

1.5. **Container transport**. The minimum restraint requirement for container movement should ensure that the load can adequately secured to prevent the full weight (1G) of the load moving in any direction, including vertically upwards and downwards. Where multi modal transport options are anticipated, restraint equal to the minimum standards for any single mode should be applied for all modes, for the entire journey.

1.6. **Load safety trials**. Where appropriate, suitable trials of vehicles, major equipment etc. should be undertaken to demonstrate that safe movement is achievable for the chosen modes of transport and to facilitate the development and publication of modal restraint system, slinging schemes and movement data. In particular trials should include:

a. Aerial delivery platforms and under-slung loads that are new to service should be trialled to determine safe methods of movement in accordance with statements of requirement.

b. Vehicles and major equipment. Trials should be conducted on all vehicles or major equipment.

c. A review of all trial data where equipment has been subject to in-service modification, including changes to original dimensions and/or other characteristics.

1.7. The conclusion to the trials should be the development and provision of movement data and an appropriate restraint system, or TDS, to compliment any future movement of that vehicle or equipment.

2. **Restraint systems.** A restraint system should take into account the requirements of all appropriate STANAGs /DefStan and legislation relating to the type of equipment being carried and the mode of transport used. For all modes of transport, the minimum restraint requirements to be applied should be in accordance with Def Stan 00-3 - Design Guidance for the Transportability of Equipment.

2.1. Details of the restraint system, including the TDS should be made available to all Defence personnel, contracted users or contracted transport operators involved in the movement of Defence equipment.

2.2. The use of MOD approved restraint systems by Defence organisations, transport operators and transport managers is mandatory. For contracted transport operators, the approved restraint systems demonstrates a proven safe method of restraint for the mode of transport being employed and its use should be recommended.

2.3. **Lack of a restraint system**. Where legacy in-service vehicles or equipment have no published restraint system, they should only be transported when sufficient documented information is available to enable the principles of load restraint to be applied. As a minimum, this should include reference to:

a. The characteristics of the vehicle or equipment to be transported, including suspension systems or moveable parts.

b. The weight and all relevant dimensions of the vehicle.

c. Recognised and designated restraint points to be used, including restraint point capacity and type.

d. Any other relevant detail that will allow the transport operator to achieve load safety.

e. SQEP at the point of loading and unloading to assist the transport operator.

Guidance Material

BS EN 12195 Def Stan 00-3 - Design Guidance for the Transportability of Equipment

TDS - STANAG 4062

Air Drop - STANAG 3548

Helicopter - STANAG 3542

MTSR DCOP NO 10 - SAFE LOADING AND LOAD RESTRAINT

Regulation

Those planning, managing, supporting or undertaking the loading of materiel shall ensure that arrangements are in place for the safe loading, restraint and transportation of equipment.

Sub Clauses

1. **Principles of load restraint**. Those planning, managing, supporting or undertaking the loading of goods or cargo shall ensure that personnel engaged in loading are trained and competent in the principles of load restraint.

2. **Provision of restraint systems**. Those responsible for tasking or operating vehicles capable of carrying a load shall ensure that adequate and suitable restraint systems are available and used to prevent the movement of loads.

3. **Loading of vehicles and equipment**. Those planning, managing, supporting or undertaking the loading of vehicles, equipment or freight shall ensure that those involved are SQEP and competent to conduct the activity.

4. **Tie Down Schemes (TDS)**. Those planning, managing, supporting or undertaking the movement of vehicles and major equipment shall ensure that:

    a. All personnel involved in the loading and securing of vehicles and major equipment have access to and apply the requirements of the Defence authorised TDS.

    b. The restraint equipment assemblies required for the application of the authorised TDS are made available to the user.

    c. Users of vehicles and major equipment for which a TDS has been provided shall be formally trained in its application, and use of the load restraint assembly.

    d. Where it is identified that no authorised TDS is available, or damage to the equipment prevents application of an authorised TDS, a suitably qualified and competent person shall assess the load to determine the level of restraint required.

Rationale

The Defence inventory and capability requirements demand that the MOD inventory, particularly vehicles and major equipment have characteristics unique to the military. The nature of equipment place challenging demands on transport and movement activity, particularly where the load is a “Sprung Mass”. This regulation outlines Defence specific requirements to compliment legislation while putting in place Defence regulation to ensure that DEDs are appropriately managed, and that Defence has suitable controls in place for this high hazard activity. The standards required by this regulation and supporting DCOP meet the conditions of Crown Enforcement Notices served on MOD as a result of previous breaches of legislation.

Defence Code of Practice (DCOP)

1. **Principles of load restraint**. The general principles for load restraint (commonly referred to as 'first principles') encompass a number of key areas that should be considered before a consignment is loaded, secured and moved. This is particularly relevant where a restraint system is not available and there is a requirement for calculating the restraint required. The application of first principles should be applied to every load on every mode of transport and should consist, as a minimum, the following:

a. Load positioning should be compatible with the platform, legislation and governing standards.

b. The carrying platform should be designed, maintained and capable of transporting the chosen load.

c. The restraint system applied to the load should meet the minimum standard necessary to prevent load movement in line with modal requirements, the activity being conducted and environment in which the activity is being undertaken.

d. All elements of the restraint system, including the restraint points on both load and platform, should conform to national standards, be maintained in accordance with manufacturers guidelines and when used as part of the load restraint, meet the minimum requirements to prevent the load from movement.

e. The use of friction as a method of restraint is considered unreliable and may change under varying weather condition(s) and/or properties of the transport platform. Defence does not consider friction when developing its cargo restraint system solutions. Friction should not be taken into account when calculating the level restraint required.

f. Notwithstanding the minimum criteria of restraint to be applied for any single modal or multi-modal method of transportation, the person responsible for accepting any load for carriage should ensure that the types and quantities of restraint employed and the restraint scheme adopted, are compatible with the mode of transport and the anticipated travelling conditions to be experienced.

2. **Provision of restraint systems**. A restraint system should take into account the requirements of all appropriate STANAGs /DefStan and legislation relating to the type of equipment being carried and the mode of transport used for its conveyance.

2.1. The restraint system should be made available to all Defence personnel, contracted users or contracted transport operators involved in the movement of Defence equipment.

3. **Tie Down Schemes (TDS)**. The Defence authority bringing a vehicle or major equipment into service should ensure it provides an appropriate TDS as required by Regulation 9. The TDS provided should take into account the requirements of all appropriate STANAGs /DefStan and legislation relating to both the type of equipment being carried and the mode of transport used for its conveyance. Vehicles and equipment design should be capable of meeting the necessary restraint criteria.

3.1. When the TDS is applied correctly, the load should be sufficiently restrained to prevent movement of the load taking place and to prevent any danger to the transport platform, individuals and/or the environment.

3.2. Where consignments are to be moved by multimodal means, load restraint solutions should be designed to meet the minimum standards of the mode with the most stringent requirements.

3.3. All selected load restraint assemblies should be fit for purpose. All elements of the restraint assembly including pallets, flat racks, nets, chains and ratchet straps should meet legislative standards and should be checked and maintained in accordance with legislative and Defence requirements to ensure serviceability.

3.4. The use of MOD approved TDS and load restraint assemblies is mandated for use by Defence organisations, transport operators and transport managers. For contracted transport operations, the use of MOD approved TDS and load restraint assemblies, demonstrate a proven safe method of restraint for the mode of transport being employed, and their use should be strongly recommended.

4. **Loading of vehicles and equipment**. The transport operator is responsible for providing suitable platforms for the loading and securing equipment for each load carried. The transport operator should ensure that all personnel under his control are SQEP.

4.1. The design and construction of the transport unit should be suitable for the load. Where appropriate, the maximum expected floor loading should be known so that the platform itself and the section and spacing of supporting crossbeams is sufficient.

4.2. Prior to a platform being loaded, it should be checked to ensure that its load platform, bodywork, and anchorage points (and twist locks where fitted), are appropriate for the load, and are in a sound and serviceable condition.

4.3. **Road transport**. It is the driver's responsibility to check and ensure that the load is correctly loaded, positioned and adequately restrained at all times during a journey. In particular:

a. The maximum permitted axle and gross weight limits of the vehicle are not to be exceeded. Where a part of the load is to be picked up or removed during the course of a journey, the effect on gross weight, individual axle weights and on the securing and stability of the load should not be overlooked.

b. The driver should be aware that the removal of part of the load will reduce the gross vehicle weight but change in weight distribution and may cause individual axles to become overloaded. The driver should take appropriate steps to redistribute the load as necessary.

4.4. When a vehicle is to be carried on a ship, as in ferry operations, provision should be made for the extra load restraint needed and for chassis anchorage points to secure the vehicle to the deck.

Guidance Material	DfT Code of Practice Safety of Loads on Vehicles. The European Best Practice Guidelines on Cargo Securing for Road Transport. HSG 136 – Workplace Transport Safety – Guidance for Employers HSG 148 – Sheeting and Un-Sheeting of tipper lorries INDG 148 – Reversing Vehicles INDG199 – Managing Vehicle Safety in the Workplace INDG 313 – Safety in Loading/unloading of Steel Stock BS EN 12195 Def Stan 00-3 - Design Guidance for the Transportability of Equipment TDS - STANAG 4062 Air Drop - STANAG 3548 Helicopter - STANAG 3542

MTSR DCOP NO 11 - DEFENCE RAIL OPERATIONS

Regulation

Those planning, managing, supporting or undertaking rail operating activities shall ensure that arrangements are in place to document, maintain and employ suitable and sufficient safety and environmental management arrangements.

Sub Clauses

1. **Safety and environmental responsibilities**. Those holding safety and environmental responsibilities for the operation of Defence rail shall ensure effective processes and procedures are in place for the management of safety and environmental protection throughout the life of the rail system.

2. **Safety management arrangements**. Those providing, managing or undertaking rail operations on the Defence estate shall ensure that all activity be conducted in accordance with a documented safety environment management system.

3. **Safety verification**. Those providing, managing or undertaking rail operations shall have procedures in place to introduce new, or altered, vehicles or infrastructure safely. Where the introduction of new or alterations to infrastructure or vehicles significantly increases the level of risk, safety verification shall be necessary.

4. **Safety critical work**. Those providing, managing or undertaking rail operations shall ensure that only suitably competent and fit persons conduct safety critical tasks.

5. **Entities in Charge of Maintenance (ECM)**. Those providing, managing or undertaking rail operations shall ensure a system of maintenance is in place to certify that all vehicles in service are safe to use.

6. **Access to national rail**. Those providing, managing or undertaking rail operations shall ensure that personnel required to access national rail controlled infrastructure and work on or be near the line are SQEP.

7. **Railway protection**. Those providing, managing or undertaking rail operations shall ensure the railway is protected against unwanted intrusion and unauthorised access.

8. **Separation from an operational railway**. Those providing, managing or undertaking rail operations shall ensure that personnel carrying out duties on an operational railway are separated from danger so that they are able to carry out their duties in safety. Where operational procedures permit personnel onto the infrastructure while trains are operating, adequate clearances shall be provided to enable them to carry out their duties in safety.

9. **Location identification**. Those providing, managing or undertaking rail operations shall ensure that there are means to identify and provide defined locations on the infrastructure for the safe operation and maintenance of the railway.

10. **Terminal tracks**. Those providing, managing or undertaking rail operations shall ensure that where stations have terminal tracks, arrangements are provided to stop a train and protect people and the station from the effects of an overrun.

11. **Rail control**. Those providing, managing or undertaking rail operations shall ensure that arrangements and facilities to enable effective operational control of the station in co-ordination with the railway and with activities adjacent to the railway.

12. **Evacuation**. Those providing, managing or undertaking rail operations shall ensure the station and its control arrangements allow for safe evacuation in an emergency.

13. **Access, egress and retention**. Those providing, managing or undertaking rail operations shall ensure trains have a safe means of access, egress and retention of people and goods carried.

14. **Communications**. Those providing, managing or undertaking rail operations shall ensure there is an effective means of communicating safety messages to passengers on the train or boarding and alighting from it; and between passengers and staff on the train both on board the train and to external controllers in event of an emergency.

15. **Stabling areas safe for people**. Those providing, managing or undertaking rail operations shall ensure the railway system provides safe stabling, marshalling and maintenance of trains.

Rationale

The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS) were introduced to put the requirements of the 2004 European Railway Safety Directive into practice in Great Britain. While Defence has an exemption from both the European Directive and ROGS they are used as the baseline for rail safety on the Defence estate and where Defence rail interfaces or utilises National rail networks.

This regulation outlines Defence specific requirements to compliment legislation while putting in place Defence regulation to ensure that DEDs are appropriately managed, and that Defence has suitable controls in place for this high hazard activity.

Defence Code of Practice (DCOP)

1. **Safety and environmental responsibilities**. Those holding safety and environmental responsibilities within MOD rail should ensure that written safety and environmental arrangements are maintained for the management of safety and environmental protection throughout the life of the rail system.

1.1. Adequate training and resources should be provided to all those holding safety and environmental responsibilities to ensure they are able to use and implement safety arrangements effectively.

1.2. A competence management system should be developed to ensure that the competencies required are identified for staff at all levels holding safety and environmental responsibilities, including those in the supply chain.

1.3. A safety and environmental case should be established to provide a structured argument, supported by a body of evidence that provides a compelling, comprehensible and valid case that a rail system is safe and is the Best Practicable Environmental Option (BPEO) for a given application in a given environment.

1.4. Where the system interfaces with other systems, a management system should be in place to identify and manage any risks created by the interfacing systems.

2. **Safety management arrangements**. Those with responsibilities for the administration, management, supervision, control or use of rail activity on the Defence estate, should ensure that a safety management environmental system is provided. Safety management arrangements should include reference to:

a. **Safety policy statement**. This should be signed by the CO/HOE and made available to those involved in rail activity and cover:

(1) The CO/HOE's commitment to health and safety.

(2) Emphasise the importance of staff working safely.

(3) Set the roles and responsibilities of each line manager and member of staff.

(4) Encourage employees to raise safety concerns.

b. **Safety targets**. Targets should be set to maintain and improve safety and how this is to be achieved and includes:

(1) Setting targets in a safety plan.

(2) The safety plan should be available to all staff.

(3) Working in cooperation with staff, their safety representatives and managers to make sure targets are specific, measurable, achievable, relevant and timely (SMART).

(4) Responsibility for meeting safety targets.

(5) Setting personal safety targets for managers.

(6) Regularly reporting progress.

c. **Procedures for meeting standards**. To include:

(1) Identifying which standards are most relevant, and how these are to be developed.

(2) Defining responsibility for monitoring and meeting specific standards.

(3) Creating a system of checks to make sure standards are being maintained.

(4) Regularly review standards to ensure relevance.

d. **Managing safety-related information**. A system should be in place to standardise procedures and formats for recording safety-related information. These should include:

(1) Involving staff and their representatives in developing your safety management system.

(2) Having discussions with health-and-safety representatives.

(3) Holding workshops with staff and managers on the main safety issues.

(4) Making sure all staff and managers receive appropriate safety inductions and training.

(5) Holding regular safety meetings and briefings between infrastructure managers and transport operators.

e. **Emergency planning**. This should cover all necessary information given to the emergency services to allow them to plan their responses to incidents on the railway. Also important are the parts of the safety management system that are relevant to the arrangements for responding to emergencies, such as training for emergencies and testing plans. See also Regulation No 2. Emergency planning arrangements should include:

(1) Fires on trains or stations.

(2) Accidents that damage the rail infrastructure or buildings.

(3) Access for emergency services.

(4) How to deal with suspicious packages.

(5) Carriage of DG (for example, harmful substances or substances that damage the environment).

(6) The effects of bad weather.

f. **Internal auditing**. A regular assessment should be conducted as to whether the safety management system is effective. This should include the need to develop evidence to use to review the system.

(1) Developing the sampling and interview strategies needed to get a full picture of how well the safety management system is working at all levels across your organisation.

(2) Assessing whether all staff are meeting the agreed standards and keeping to the safety management arrangements.

(3) Making risk-based recommendations based on the findings of the audit.

(4) Identifying strengths in the management system and recording good practice.

(5) Identifying areas that can be improved.

(6) Reporting any faults in the system to a senior manager for them to review and take action.

3. **Safety verification**. Where safety verification is deemed necessary, it should be conducted by an independent competent person. Safety verification should include:

a. Ensuring management arrangements are in place regarding the introduction of new or altered infrastructure or vehicles.

b. Determining whether a project should go through a safety verification process.

c. Appointing the independent competent person.

d. Preparing a written safety verification scheme.

e. Providing information for the independent competent person.

f. Monitoring, reviewing and revising the scheme.

4. **Safety critical work**. Where an employee is required to perform safety-critical tasks they are to be competent, medically and physically fit enough to do so and are not affected by fatigue:

a. The following tasks should be performed by an individual who is competent and fit:

(1) Driving and train dispatch.

(2) Operating signals and level crossings, and related communication.

(3) Coupling or uncoupling vehicles.

(4) Controlling the power supply connected to track and vehicles.

(5) Checking vehicles are working properly and, if loaded, loaded correctly.

(6) Protecting the safety of people working on or near to the track.

b. The following tasks should be supervised, or the work checked, by someone who has been assessed as competent and fit to do so before the work has the opportunity to affect the health and safety of people working or travelling on the transport system. These tasks are:

(1) Installing vehicle parts.

(2) Maintaining vehicles that are being used (and their parts).

(3) Installing or maintaining any part of the infrastructure.

(4) Installing or maintaining the power supply.

(5) Installing, maintaining or operating the communications.

(6) Systems used to control vehicles' movement or call the emergency services.

c. Those controlling safety-critical work should ensure that every person under their management, supervision or control, and is carrying out safety-critical tasks, is competent and fit to do so (except when they are receiving practical training to carry out the task). Controllers of safety-critical work should therefore:

(1) Ensure that personnel conducting safety critical work have been assessed as being competent and fit.

(2) Keep and update a written record of the worker's training and fitness, including the conditions against which they were assessed.

(3) Ensure written records are available for inspection, by those having a reasonable request to do so.

(4) Put in place a suitable and sufficient system to monitor the training and fitness of safety-critical workers.

(5) Review and reassess safety-critical workers' competence or fitness if they have reason to doubt it or if the task changes significantly.

5. **Entities in Charge of Maintenance (ECM)**. Those responsible for placing a vehicle in service should ensure that:

a. An ECM is assigned to the vehicle.

b. The details of the ECM are registered on the National Vehicle Register (NVR).

c. Where the vehicle is a freight wagon the ECM should hold an ECM certificate.

6. **Access to national rail**. Those responsible for Defence rail operations should ensure that staff working on, or near to, the national rail infrastructure are in possession of an in date Personal Track Safety (PTS) qualification.

7. **Railway protection**. Those responsible for providing railway protection should consider:

a. The risk of unauthorised access, and provide suitable barriers and signs.

b. The need for authorised access by people (workers, emergency services etc.). while deterring access to others.

c. The presence of earthworks and structures supporting, above or adjacent to the railway.

d. The impact of activities adjacent to the railway.

e. The provision of crash barriers where roads are adjacent to the railway.

f. Visual distractions such as coloured or beams of light from road vehicles adjacent to the railway.

8. **Separation from operational railway**. Those responsible for providing separation from the operational railway should consider:

a. The range of people permitted onto the infrastructure including the different needs of people who routinely and frequently go out on the infrastructure compared to those who do so only occasionally.

b. The safety clearances on the track side taking into account the effect of moving trains.

c. The provision of a place of safety or refuge and the time required to reach it by workers on or about the track.

d. The appropriate marking of structures where clearances do not include allowances for personnel safety.

e. The safety clearances for all walkways including those to signal posts and in sidings and depots.

f. Positioning of equipment, such that safe access is easily achieved.

9. **Location identification**. Those responsible for providing location identification should consider:

a. The need to identify uniquely a particular exact location.

b. The need to identify uniquely the structures.

c. The method of operating the railway in both normal and abnormal conditions.

d. The need to respond to foreseeable incidents and attendance by emergency services.

e. The need for the identifying mark to be observed from both on and off the railway.

10. **Terminal tracks**. Those responsible for providing terminal tracks should consider:

a. The protection arrangements for structural supports against derailment.

b. The positioning of structural and other critical supports.

c. The areas where people are likely to congregate in the potential overrun area.

d. The overrun provisions and type of arresting device(s) provided.

e. The protection that can be gained from automatic train protection or train stop systems.

f. The effect on braking performance caused by the weather, or contaminants.

g. The balance of risk between damaging the train and injury to its passengers, and damaging the station and the people using the station.

11. **Rail control**. Those responsible for providing rail control should consider:

a. The means of co-ordinating activities on the railway with those within the station so they do not cause additional risks to each other.

b. Relationships and liaison arrangements with adjacent or connecting railway systems and with activities adjacent to the railway.

c. The level and diversity of surveillance, communication and information required to control the activities within the station complex.

d. The means of communication and the provision of information and instructions to workers and other people.

e. The liaison arrangements at the station for the emergency services.

f. The availability of control facilities during emergency situations.

12. **Evacuation**. Those responsible for ensuring suitable evacuation measures should consider:

a. The time taken to complete evacuation of the station.

b. The protection of evacuation routes.

c. Access for emergency services.

d. Information systems for evacuation of the station.

e. The zoning of public address systems.

f. The management of any ventilation system.

g. How people with reduced mobility can be evacuated safely.

13. **Access, egress and retention**. Those responsible for providing access and egress and stations should consider:

a. Acceptable stepping distances to and from the platform.

b. The size, number and arrangement of doors.

c. The arrangements for the control of the doors.

d. The arrangements to prevent the doors being opened when the train is moving.

e. The arrangements to avoid trains departing with doors open.

f. The hazards created by the doors moving; the arrangements to avoid trapping people in doors especially prior to departure from a station.

g. The arrangements for emergency evacuation of the train.

h. Provision of equipment and arrangements for the escape of persons in an emergency and the arrangements for gaining access into the train in emergency situations.

i. That goods are loaded safely and secured effectively.

14. **Communications**. Those responsible for providing communication systems should consider:

a. Communications between the train, train crew and control or signalling centres.

b. Communications between the members of the train crew on-board the train.

c. Communications between the train crew and passengers.

d. Passenger emergency alarm facilities.

e. Provision of information for passengers with either visual or auditory impairments and availability of communication systems in degraded operations or emergency situations, including fire.

f. Prevention of malicious interference of any such communication equipment including any software.

15. **Stabling areas safe for people**. Those responsible for providing stabling areas should consider:

a. The segregation of the marshalling, stabling, servicing and maintenance areas from the running lines.

b. The protection of people in these areas from danger from moving trains.

c. The type of any electric traction system as overhead traction is generally safer.

d. The position of any electric traction system, its sectioning and its means of isolation to facilitate train cleaning, servicing, maintenance or any other activities.

e. Protection of the area from activities adjacent to the railway.

f. The need for adequate clearances and walkways.

g. The need for identifiable crossing places; secure stabling of trains.

h. Segregation of road vehicles in the area from trains and people.

i. The arrangements for the control of train movements within, into and from the area; and the provision of lighting for operational activities.

j. The security of the site from trespass.

k. Choice of electric traction system, i.e. overhead generally better for worker safety than conductor rail.

l. Safe access to trains when working at height.

Guidance Material	The Railways and Other Guided Transport Systems (Safety) Regulations 2006. The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended) – A Guide to ROGS 2014. JSP 790 is the 'functional' policy document for Defence railway activities and takes precedence over all other MOD documents relating to Defence rail. Railway Group Standards including Rail Industry Standards, Rail Industry Approved Codes of Practise, Guidance Notes and Good Practise Guides where appropriate. The ORR Railway Safety Publications RSP 003 'Safe Movement of Trains' and RSP 005 'Guide to Minor Railways'. Other rail related Rail Safety & Standards Board (RSSB) and HSE guidance and reports. Rail Accident Investigation Branch reports and guidance. The Health & Safety at Work etc. Act 1974. The Management of Health & Safety at Work Regulations 1999. MOD UK Railways: Permanent Way: Design and Maintenance Policy and Standards. Further information regarding ECM can be obtained from ORR at http://orr.gov.uk.

MTSR DCOP NO 12 - CONTROL AND MANAGEMENT OF MOD VEHICLES

Regulation

Those planning, managing, supporting or controlling the use of MOD provided vehicles shall ensure that arrangements are in place to ensure that all vehicles are controlled, managed and used safely.

Sub Clauses

1. **Vehicle management responsibilities**. Those planning and managing the provision of vehicles for Defence activities shall ensure that roles and responsibilities are clearly defined and documented.

2. **Vehicle roadworthiness**. Those responsible for the provision, tasking, allocation and use of MOD provided vehicles shall ensure that they are in a roadworthy condition and fitted with any mandated safety equipment.

3. **Vehicle speed limits and vehicle speed restrictions**. Those responsible for the provision, tasking, allocation and use of MOD provided vehicles shall ensure that relevant information is provided to drivers, riders and vehicle commanders in respect of any applicable speed limit or speed restriction associated with the vehicle and road or terrain the vehicle is required to operate on.

4. **Use of vehicles under Blue Light (BL) (Emergency) conditions**. Those responsible for the tasking, allocation and use of MOD provided vehicles shall ensure that no MOD vehicle is operated under blue light conditions or exceed signed speed limits unless authority exists to do so and the driver, and or crew has received the appropriate training.

5. **Marking and lighting of vehicles used for emergency purposes**. Those responsible for the tasking, allocation and use of MOD provided vehicles shall ensure that no MOD vehicle is fitted with emergency lights or markings, unless an authority to do so exists.

6. **Pre-use vehicle checks**. Those personnel controlling or operating MOD provided vehicles shall ensure that a safety check of the vehicle is conducted prior to use.

7. **Driver and passenger safety**. Those responsible for the controlling, tasking, allocating or using MOD provided vehicles shall ensure that appropriate safety clothing and equipment is provided and used.

8. **Use of open architecture vehicles.** Those personnel controlling or operating open architecture vehicles shall ensure that appropriate safety clothing and equipment is made available and used.

Rationale

The requirement for every unit and/or establishment to provide an effective managerial regime for the operation of MOD provided vehicles is essential. It requires units to understand how it uses its vehicle assets safely, have suitably trained individuals in key posts and provide them with clear safety regulatory requirements regarding their roles and responsibilities.

Defence Code of Practice (DCOP)

1. **Vehicle management responsibilities**. All personnel tasked to manage, control or supervise the use of MOD provided vehicles should have clearly defined levels of responsibility. Management arrangements should:

a. Define and record the levels of responsibility and training requirements.

b. Be reviewed annually.

1.1. **Unit level standing orders**. Every Defence unit/establishment should produce, and make available to all staff who manage, control, operate or use Defence provided vehicles, a set of Standing Orders, Driver's Orders and/or Standing Operational Procedures. These orders should support, or further clarify, how and by whom activity involving the use of MOD provided transport should be applied within that unit.

1.2. **Fault reporting**. Any fault that cannot be corrected is to be reported to the MOD Road Transport Manager as soon as possible. If the fault prevents the driver from continuing, the should seek advice from the appropriate MOD Road Transport Manager regarding completion of the journey.

1.3. **Route selection**. Where a driver is provided a route by the MT staff, it should be followed. Departure from that route may only be made in an emergency or when so directed by a superior officer, police officer or traffic warden. If no such route is given, the driver should use the shortest practical route between the start point and destination, taking note of the sub paragraphs below:

a. Make best use of motorways, which may make a route longer in distance but shorter and more practical in time.

b. When driving a high-sided vehicle (i.e. one that has an overall height of more than 3 m) the driver should ensure that:

(1) They follow the authorised route; this should take account of low bridges and any other overhead obstructions.

(2) Carry details of the dimensions and weight of the vehicle and any load.

(3) When driving a vehicle fitted with a load height indicator in the cab, it should be immediately reset after loading to accurately reflect the overall travelling height.

1.4. **Reverse parking**. In order to reduce danger to pedestrians, maximise safety and assist vehicle access and egress, MOD vehicles should be reverse parked. This ensures that vehicles are best positioned to be driven away (forwards), providing visibility of the surrounding areas to the driver. Many unnecessary vehicle accidents occur whilst reversing. Before reversing drivers should make sure that there are no pedestrians or other obstructions behind them. Drivers should also be especially careful about the blind areas behind and to the side. A trained banksman should be used when reversing and visibility is restricted.

1.5. **Responsibility for vehicle loads.** A driver is legally responsible for the vehicle load from the time it is loaded until it is offloaded. Drivers are:

a. Required to know the maximum permitted load, i.e. the MAM, and the load permissible on each axle, i.e. the axle weight limit. The driver is legally responsible for ensuring that these limits are not exceeded.

b. Responsible for ensuring that the load is correctly placed, distributed and secured in position so as to ensure that it is not dangerous, or liable to become so. The driver should ensure that all loads are correctly distributed over the cargo area and for securing and restraining loose loads where this is required. Guidance on loads can be found in JSP 800 Vol 71. When selecting load restraining and securing systems, the adequacy of tie down points on vehicles is always to be taken into account.

c. Responsible for safeguarding the vehicle and its load whilst on duty.

d. Responsible for initiating breakdown and recovery procedures, if required.

e. To refuse to accept any load when the full details of weight, dimensions or nature of the load is not supplied by the consignor.

1.6. **Smoking in vehicles**. Drivers and passengers are not permitted to smoke in MOD vehicles.

2. **Vehicle roadworthiness**. Those responsible for the management of MOD vehicles should ensure that a maintenance programme for every vehicle exists. In addition:

a. A clearly defined system predetermined by intervals or mileage should be used.

b. A fault reporting system should be in place for all vehicles and associated equipment.

c. A record of all remedial work carried out on the vehicle should be maintained.

2.1. **Vehicle use**. An MOD vehicle should only be permitted to be used when:

a. Vehicle servicing and maintenance requirements have been met and are in date.

b. The vehicle is, in all respects, roadworthy.

c. The driver has conducted a before use check of the vehicle.

d. The driver holds the correct driving entitlement for the vehicle.

e. An authority to use the vehicle exists.

2.2. **Load security and safety.**

a. **Carriage of loads**. Drivers of MOD provided vehicles carrying a load should ensure that any load carried (including that on a roof rack or vehicle related equipment) is secured safely prior to movement of the vehicle.

b. **Canopy fitted vehicles**. Where a vehicle is fitted with a canopy the driver is to ensure that both the canopy and frame are serviceable and that all locking pins and security straps are present and fitted correctly. The canopy (when fitted) is to be secured correctly and that all rope ties and strap assemblies are secured safely.

c. **Ancillary equipment**. Ensure any ancillary equipment, e.g. mobile crane stabilising legs, are stowed correctly before moving the vehicle.

d. **Camouflage nets**. The draping of camouflage nets on moving vehicles is not permitted on public roads. Camouflage nets or hessian screens are to be securely stowed prior to movement.

e. **Use of trailers**. When using trailers the driver should ensure that the towing vehicle is of the correct weight and has a tow hitch with a height which matches that of the trailer. The driver should also ensure that the trailer and connections are securely attached to the prime mover and all locking devices, including the jockey wheel / legs, are secured prior to moving off. When towing a fixed eye drawbar trailer, the driver should ensure that the vehicle towing eye is free to rotate.

3. **Vehicle speed limits and vehicle speed restrictions.** Due to their design, configuration or types of tyre used, many MOD vehicles are subject to speed restrictions, which are often lower that national limits.

3.1. Management procedures should be in place to ensure that drivers are aware of all applicable speed limits associated with the vehicle they are required to drive.

3.2. Drivers of MOD vehicles should be aware of the speed limits for the vehicle and any speed restriction placed on the vehicle due to its design or limitations.

4. **Use of vehicles under Blue Light (BL) (Emergency) conditions**. Those responsible for the tasking, allocation and use of MOD provided vehicles should ensure that only those vehicles referred to below are operated under blue light (emergency) conditions and that the driver has received appropriate training in accordance with The Road Safety Act 2006 and subordinate Statutory Instruments:

4.1. **MOD Police (MDP) vehicles**. An MOD police vehicle is a vehicle used for police purposes and is covered by legislation. This does not include Service police vehicles (see sub-paragraph f). MDP vehicles may be fitted with, and in specified situations use, BL warning devices. They are exempt from the observance of speed limits and certain traffic signs where such observance would be likely to hinder the use of a vehicle for police purposes.

4.2. **MOD fire vehicles**. An MOD fire vehicle is constructed or adapted for (and used for no other purpose other than for) the fighting of fires or salvage purposes (or both) for Defence purposes in relation to an emergency at an aerodrome or other premises administered by the Secretary of State for Defence. MOD fire vehicles may be fitted with, and in specified situations use, all BL warning devices and are exempt from the observance of speed limits and certain traffic signs where such observance would be likely to hinder the use of the vehicle for fire and rescue purposes on the Defence estate.

4.3. **MOD ambulances**. An MOD ambulance is a vehicle constructed or adapted for the carriage of ill, injured or disabled people to or from welfare centres or places where medical or dental treatment is given. The vehicle should not be used for any other purpose and should be clearly marked on both sides with the words 'Ambulance'. Ambulances vehicles may be fitted with and in specified situations use BL warning devices. Ambulances are exempt from the observance of speed limits and certain traffic signs where such observance would be likely to hinder use.

4.4. **MOD EOD and Bomb Disposal**. EOD and Bomb Search or Disposal vehicles are those owned by the Secretary of State (SofS) for Defence and used for the disposal of bombs or explosives and search purposes only. Vehicles may be fitted with, and in specified situations can use, BL warning devices and are exempt from certain traffic signs where such observance would be likely to hinder the use of a vehicle for EOD and Bomb Disposal purposes, or training for such purposes.

4.5. **RAF Mountain Rescue Service (MRS) vehicles.** RAF MRS vehicles may be fitted with, and in specified situations can use, BL warning devices. RAF MRS are not exempt from adhering to traffic signs or red lights.

4.6. **Service police vehicles**. Service police vehicles, such as those used by the RMP, RAFP and RN (P) are only permitted to use BL warning devices on the public road when displayed on stationary vehicles. Service police vehicles may be fitted with BL warning devices for use in MOD establishments; in clearly defined garrison areas; on MOD land (which is often covered by additional bylaws); at some defined overseas locations and/or during some operations. No exemption from the observance of speed limits exists for Service police vehicles, except for surveillance vehicles operated by suitably qualified Service police covert law enforcement personnel operating under RIPA 2000.

4.7. **Director Special Forces (DSF)**. For the provision of Military Aid to the Civil Power (MACP), UKSF vehicles can be fitted with all BL warning devices. Furthermore, members of UKSF[1] are exempt from the observance of speed limits and certain traffic signs, where the person driving is responding or practising to respond to a security emergency.

4.8. **Nuclear Accident Reaction Organisation (NARO)**. When working under police control, NARO vehicles may be fitted with, and in specified situations use, BL warning devices. NARO vehicles are not exempt from adhering to all other traffic signs or red lights.

4.9. **Joint Arms Control Implementation Group (JACIG)**. JACIG vehicles are used in support of Arms Control Operations and when moving form part of police escorted convoys controlled by MDP or Home Office Police Forces. JACIG vehicles may only display blue lights when moving under police escort and are not exempt from adhering to traffic signs, red lights or speed limits.

[1]. Defined as those units of the Armed Forces of the Crown the maintenance of whose capabilities are the responsibility of the Director of Special Forces or which are for the time being subject to the operational command of that Director.

5. **Marking and lighting of vehicles used for emergency purposes**. Those responsible for the provision, management and control of vehicles permitted to operate under BL conditions should clearly define which vehicles are in scope and have appropriate arrangements in place to ensure that the vehicles are compliant regarding marking and lights. These vehicles will range from the EOD vehicle, designed and fitted with BL, audible warning devices and hi-vis paintwork, down to the basic unit GS or WF vehicle, which may simply need to be escorted by an emergency service to an area of operation. Regardless of the vehicle type, or role, all drivers and commanders should be made aware of their responsibilities.

6. **Pre-use vehicle checks**. Drivers are required, by law to ensure the vehicle they are using is in a roadworthy condition and its load is safe and secure. Therefore, prior to an MOD provided vehicle being used a safety check should be conducted by the driver to ensure it is fit for purpose. It is therefore essential that it is checked in line with the manufacturer's specifications and vehicle user handbooks. Particular attention should be paid to seat belts, steering, tyres/tracks, wheel nuts, brakes, lights, mirrors, windscreen cleanliness and speedometer. A vehicle should not be used if a fault is found which renders it unfit for use.

6.1. **Start-up procedures**. Any person intending to start or operate an MOD vehicle should be correctly positioned in the driver's seat and in full control prior to commencing start-up procedures.

6.2. **Vehicle cleanliness and tidiness**. Drivers of MOD provided vehicles and commanders where applicable, should ensure that the vehicle being used has:

a. Clean serviceable windows, mirrors, lights, reflectors and number plates.

b. A clean and tidy interior with any equipment, or associated loads, are securely stowed so they cannot move or interfere with the operation of the vehicle, nor cause a hazard to passengers.

c. A standard of exterior cleanliness appropriate to the type and usage of the vehicle.

6.3. **During use checks**. During use checks should be made by the driver to ensure no vehicle faults have developed, including those items checked before use, and that the vehicle remains roadworthy and that any load remains secure and safe.

6.4. **Adherence to audible or visible warnings**. A significant number of vehicle collisions, on-board fires and cases of catastrophic major component failure are known to have occurred as a result of drivers and crews continuing to drive on regardless of warning signs and symptoms indicating to them that they should stop. Drivers are reminded of the risk of not only personal, vehicle occupant or third party injury but also of fire and explosion, if they continue to drive on whilst ignoring either pressure and temperature warnings or other signs such as abnormal sounds, smells or smoke coming from their vehicles.

6.5. **After use checks**. After use checks should be conducted to detect any vehicle faults which may have occurred during use and which may require attention before the vehicle is used again.

6.6. **Defect reporting**. Those responsible for the tasking, allocation and use of MOD provided vehicles should ensure that a defect reporting system is in place to prevent unfit vehicles from being made available for use.

7. **Driver and passenger safety**. Those responsible for the tasking, allocation and use of MOD provided vehicles should ensure that appropriate safety clothing and equipment is provided and used where required.

7.1. **Unauthorised use**. Only personnel authorised to drive or be conveyed as passengers may travel in MOD provided vehicles.

7.2. **Use of seat belts.** All drivers/passengers of MOD provided vehicles are required to wear seat belts/harness and be suitably restrained prior to any vehicle movement.

7.3. **Clothing and footwear**. Personnel should wear clothing appropriate to the task and boots or shoes which are suitable for driving. Operating vehicles without footwear is forbidden. Where local rules apply Hi-Vis clothing is to be worn as appropriate.

7.4. **Spectacles and contact lenses**. Drivers, who are required to wear spectacles, or contact lenses, whilst driving, shall do so. They shall also carry a second pair to provide a replacement should these be broken. Users of contact lens are also to carry a spare pair of lenses or spectacles.

7.5. **Sunglasses**. When driving in bright or dazzling conditions drivers should wear sunglasses. If MOD pattern sunglasses are not available, drivers should use an appropriate alternative.

7.6. **Night Vision Goggles (NVG)**. Driving using NVG equipment is restricted to military training areas and theatres of operations. NVG are not to be used when travelling on public roads under any circumstances.

7.7. **Mobile telephones**. Mobile phones or any type of 'hands free' mobile phone equipment shall not be operated whilst driving. Drivers shall be discouraged from answering a call while driving and, in addition, Unit Standing Orders are to detail the action to be taken by a caller should it become apparent that a person is driving when a telephone call is made.

7.8. **Use of personal audio earphones / headphones**. MOD personnel engaged in driving, operating or commanding vehicles or working in the vicinity of vehicles (transport workplace) are forbidden from wearing personal audio 'in ear' or 'headphones' equipment. This policy does not refer to crew communications headsets, anti-noise reduction headphones or personal protection ear defenders. Motorcyclists may use authorised communication systems, where applicable.

7.9. **Navigational equipment**. Satellite navigational (SATNAV) equipment may be used in MOD vehicles providing that:

(1) The equipment is positioned so that it does not obscure vision.

(2) The equipment is programmed for the journey whilst the vehicle is parked at rest and is not adjusted whilst the vehicle is in motion.

(3) Full control of the vehicle is maintained at all times.

7.10. **Emergency equipment**. Those responsible for the management, control and use of MOD provided vehicles should ensure that a management control process is in place to check that vehicle emergency and wheel changing equipment is fit for use and available where required.

7.11. **Fire extinguishers**. Those responsible for the management, control and use of MOD provided vehicles which require being fitted with fire extinguishers, should ensure that a management control process is in place to provide for necessary serviceability checks.

8. **Use of open architecture vehicles**. Those personnel controlling or operating open architecture vehicles shall ensure that appropriate safety clothing and equipment is made available and used by those operating in the vehicle.

8.1. **Motorcycles**. Motorcyclists should wear protective equipment when riding motorcycles. This is to include a minimum of the current military standard issue protective clothing; in-date British Standard Institution (BSI) or equivalent EU standard [ECE] approved pattern motorcycle helmet with visor or goggles and high-visibility vests (dependent upon the operational situation).

8.2. **All-Terrain Vehicles (ATV)**. Riders of ATV should wear military standard issued clothing (including protective body armour where available), high-visibility vests and an in-date BSI/ECE approved pattern motorcycle helmet with visor or goggles. Once trained, and when operating within an operational area (or when taking part in Pre-Deployment Training (PDT) for operations, riders may wear operational clothing, including the issued combat helmet, CBA and suitable eye protection.

8.3. **Materials Handling Equipment (MHE)**. Operators of MHE vehicles, which are not fitted with a safety cage to protect the driver/operator, should wear an approved safety helmet when driving or operating the vehicle.

8.4. **Protective goggles**. Issued protective goggles should be worn by drivers, commanders and passengers of vehicles which are not provided or fitted with windscreens.

Guidance Material

JSP 800 Vol 5

The Road Traffic Act 1988

The Motor Vehicles (Driving Licences) Regulations 1999 (SI 1999/2864)

The Road Vehicle (Construction and Use) Regulations 1986

The Motor Vehicles (Wearing of Seat Belts) Regulations 1993

The Armed Forces Act 2006

Vehicle Drivers (Certificate of Professional Competence) Regulations 2007 SI 2007/605

Road Vehicles (Registration and Licensing) Regulations 2002 (SI 2002/2742)

Regulations (EC) No 561/2006 Art 3 (c)

Transport Act 1968 102 (1)(2)

The Highways Act 1980

The Community Drivers' Hours and Recording Equipment Regulations 2012

	The Road Vehicles Lighting Regulations 1989 (RVLR) The Goods Vehicles (Licensing of Operators) Regulations 1995 Public Passengers Vehicles Act 1981 Visiting Forces and International Headquarters(Application of Law) Order 1999 Defence (Armed Forces) Regulations 1939 Emergency Laws (Repeal Act) 1959 s2 of the Emergency Powers Act 1964 The Road Vehicle (Authorisation of Special Types)(General) Order 2003 Part 5 Regulation 53 Transport for London - GLA 2015 No. 11 The Road Safety Act 2006 The Road Traffic (New Drivers) Act 1995 The Road Traffic Offenders Act 1988 The Road Traffic Regulations Act 1984 Traffic Management Act Vehicle Excise and Registration Act 1994

MTSR DCOP NO 13 - USE OF OPERATIONAL MILITARY VEHICLES (OMV)

Regulation

Those planning, managing, supporting or operating OMV shall ensure that arrangements are in place to ensure the safe use of the vehicles on public roads.

Sub Clauses

1. **Planning and control**. Those responsible for the use of OMV on public roads shall ensure that all activity is appropriately planned and controlled, including route selection and notification to local authorities.

2. **Management**. Those responsible for the use of OMV on UK public roads shall ensure that:

    a. Attendants are provided where appropriate.

    b. Escorts shall be provided for movement of OMV which exceed 3.5m in width. Consideration shall be given to the use of escorts for all other OMV.

    c. Where there is a requirement to escort:

        (1) Personnel shall be appropriately trained, suitably equipped and have clearly defined roles and responsibilities.

        (2) Escort Vehicles shall be fully compliant with legislation.

3. **Marking and lighting of OMV**. Those responsible for the use of OMV on UK public roads shall ensure that:

    a. Where a vehicle exceeds 2.6m in width, the extreme edges of the vehicle shall be appropriately marked.

    b. Any forward, rearward or lateral projection shall be appropriately marked.

    c. Where a vehicle exceeds 2.9m in width or limited to a maximum speed of less than 25mph, it shall be fitted with, and use amber warning beacons.

    d. Where a vehicle exceeds 3m in height appropriate warning labels, or other documentation shall be provided to the driver and commander.

    e. Where the vehicle is being used on a public road, in a non-operational environment, it shall display a minimum of dipped beam to the front and tail lights to the rear.

4. **Armoured Vehicle (Tracked) (AV(T)) speed limits**. Those responsible for the use of AV(T) on UK public roads shall ensure that arrangements are in place to ensure that:

    a. Vehicles with a Maximum Authorised Mass (MAM) not exceeding 30t are operated at a speed not exceeding 40 mph.

    b. Vehicles with a Maximum Authorised Mass (MAM) exceeding 30t are operated at a speed not exceeding 30 mph.

Rationale

Defence capability requirements demand that the MOD Operational Military Vehicles have unique characteristics; particularly in relation to weights and dimensions, which often exceed national standards. These characteristics can also have a detrimental effect on handling and visibility and appropriate measures are required to reduce the impact on other road users.

This regulation outlines Defence specific requirements to compliment legislation while putting in place Defence regulation to ensure that DEDs are appropriately managed, and that Defence has suitable controls in place for this high hazard activity.

Defence Code of Practice (DCOP)

1. **Planning and control of OMV**. The majority of MOD vehicles are able to use public roads without authorisation or restrictions being placed on them. Others, due to their size or addition of weapon systems, armour, or other projections, exceed the normal criteria set by the Road Vehicle (Construction and Use) Regulations 1986.

1.1. All drivers, commanders and MT Managers of OMV, and in particular 'oversized vehicles' have a responsibility to understand the difficulties involved in driving or manoeuvring such vehicles, so that they do not pose a danger to other road users.

1.2. **Oversize vehicles.** A vehicle will be classified oversize if any part of it causes it to be wider[1] than, longer than, heavier than or higher than the dimensions shown at Annex A – Table 1. Whilst a general exemption is applied to operational military vehicles which are used to carry out strategic, tactical, service or administrative tasks (which also includes training for these tasks) certain conditions should still be met if the vehicle is to be used on the public road. Annex A - Table 2 provides an overview of additional requirements for vehicles exceeding normal width limitations.

1.3. **Liaison with civilian authorities**. While an oversize vehicle can travel on a public road, legislation and good practice requires that the police and other civil authorities be informed. As the vehicle size increases, there is a requirement to liaise with key authorities (highway, road, bridge, electricity and gas, etc.) to ensure that key structures are able to take the vehicle's weight and dimensions to prevent damage to key services. For larger vehicles prior permission may be required from the Highways Agency (HA) and Department for Transport (DfT) in addition to the police.

1.4. **Notice to police**. A minimum of two clear working days' notice is required by the chief officer of police for each area within, or through which, the vehicle will operate. A notice should contain details of the vehicle(s) and the proposed dates, times and routes in each police area where:

a. There is a lateral projection on either side which exceeds 305mm.

b. The width of the vehicle exceeds 2.9m.

c. A rigid vehicle exceeds 18.75m in length.

d. The length of any forward or rearward projection exceeds 3.05m.

[1] The width of a vehicle is calculated as being the widest lateral point on either side of the vehicle and does not include wing mirrors, a fixed front snow plough, tyre distortion or lights and reflectors.

1.5. **Liaison with local authorities**. For the movement of larger vehicles advance warning of the move should be provided to the appropriate Highways Authority and or DfT. Where required, the following information is to be provided as a minimum:

a. Date and outline times of movement - including estimated finish time.

b. Departure address and postcode.

c. Destination address and postcode.

d. Route of journey.

e. Estimated duration of travel.

f. Staging points.

g. Number of vehicles.

h. Vehicle types and VRN (where available).

i. Unit movement control number.

j. Convoy commander details and mobile contact number.

k. Unit control room contact number (Tel; fax and e-mail).

1.6. **Convoy movement**. Where oversized vehicles are being moved as part of a convoy all movement should be cleared.

2. **Management requirements for OMV**. All use of OMV should be appropriately managed to ensure that the risks posed to other road users are ALARP. Mitigation should include the use of escorts and attendants.

2.1. **Requirement for attendants**. Attendants should be provided for oversize vehicles exceeding 3 metres in width. The role of the attendant is to provide the driver with feedback on potential hazards and warn them, or any other person, of potential hazards likely to be caused by the presence of the oversize vehicle(s). The attendant should be competent, with appropriate knowledge, skills and experience in respect of the vehicle and its use. All attendants should be briefed on their role, the route being taken and hazards identified in the risk assessment. Any trained member of the vehicle crew, including the vehicle commander, may act as the attendant provided they have been briefed on their role.

2.2. **Additional attendants**. Where 3 or more vehicles are travelling together in convoy, attendants should, as a minimum, be positioned in the first and last vehicles. Additional attendants should be considered dependant on the number of vehicles in the convoy, the route being used and potential hazards.

2.3. **Escort requirements**. The primary function of the escort vehicle is to warn other road users, including pedestrians of the presence of an oversize vehicle, as well as to maintain on-going contact with the driver. Whenever escort duties are being performed the communications link between the escort vehicle and the oversize vehicle should not be broken. To ensure the safety of crews, the general public and other road users:

a. Oversize vehicles exceeding 3.5m wide, require an escort vehicle.

b. For oversize vehicles between 2.9m and 3.5m wide, the use of escort vehicles should be considered as part of the RA process for the move.

2.4. **Use of escort considerations**. The use of oversize vehicles on the public road increases the risk to those using the roads. As a minimum, the following should be assessed when considering the use of escort vehicles:

a. Experience of driver and commander.

b. Length of Journey.

c. Types (width) of road being used.

d. Routes and potential hazards (both rural and urban).

e. Pinch points or narrow roads.

f. Road works or traffic diversions.

g. Likely density of traffic and time of day (rush hour).

h. Weather conditions (high winds, rain, sleet, snow, bright or low sun).

i. Other vulnerable road users (pedestrians, cyclists, children, etc.).

2.5. **Escorted moves**. Where an escort is deemed necessary for the movement of an oversize vehicle, the escort vehicle should be sited as follows:

a. **Single oversize vehicle movement**:

(1) On motorways and dual carriageways, an escort vehicle should be positioned to the rear of the oversized vehicle, at a distance to give adequate warning to other road users.

(2) On two-way roads and at traffic islands or intersections, an escort vehicle shall be positioned to the front of the oversize vehicle to give adequate warning to other road users.

b. **Multiple oversize vehicle movement**. Where 2 or more oversize vehicles are being moved an escort vehicle should, as a minimum, be positioned to the front and rear of the group, to give adequate warning to other road users.

2.6. **Non-escorted moves**. For oversize vehicles between 2.9m and 3.5m wide, where it has been assessed that the use of escort vehicles is not considered necessary, those responsible for the move should be satisfied the risk of not using an escort is justifiable, and should ensure that the driver, crew commander and crew are fully briefed. The briefing should cover all risks associated with the route being used, additional risks associated with the movement of an oversize vehicle and actions to be taken in the event of an incident.

2.7. **Escort duties and responsibilities**. The primary function of an escort is to warn other road users of the presence of the oversize vehicle. Escorts have no legal powers to stop or direct other road users. They are to:

a. Ensure that special instructions or restrictions, such as apply to bridges, tunnels or level crossings, are adhered to.

b. Act as a point of contact and be the communications interface between the vehicle / convoy and the police, relevant authority and emergency services as required.

c. Alert the emergency services in the event of an incident.

d. Place traffic cones and warning beacons round the oversize vehicle when stationary to warn other road users.

e. Ensure the escort vehicle is 'fit for purpose' and is fully compliant.

2.8. **Escort skills and qualifications**. To meet legislative and Defence requirements, an escort should:

a. Be a minimum of 21 years old.

b. Hold a Category B driving entitlement.

c. Be able to speak and read English.

d. Be competent through training and/or experience in the movement of oversize vehicles.

e. Have a basic knowledge of first aid.

f. Be able to effectively use a fire extinguisher.

g. Be issued with a long-sleeve high-visibility fluorescent yellow jacket (conforming to BS EN 471) which should be worn at all times when the escort is outside the escort vehicle.

3. **Marking and lighting of OMV.** Where an OMV is being used on a public road, in a non-operational environment, it is required to display a minimum of dipped beam to the front and tail lights to the rear at all times.

3.1. Where a vehicle exceeds 2.6m in width, the extreme edges of the vehicle should be fitted with reflective markings.

3.2. Where any part of a vehicle (less its mirrors):

a. Has a forward or rearward projection which exceeds 1m, side marker boards are be displayed on the projection.

b. Has a forward or rearward projection which exceeds 2m, side and end marker boards are to displayed on the projection.

c. Has forward or rearward projection which exceeds 3m, one side marker board is to be fitted each side of the projection so that it is at least within 50mm of the end of the projection (i.e. point furthest from the vehicle).

d. Has a projection which exceeds 4.5m to the front or 5m to the rear, additional side marker boards are to be fitted each side of the projection. The distance between the marker boards is not to be more than 2.5m for forward projections and 3.5m for rear projections between the vehicle and end of the projection. The distance between the lowest point of each additional side marker board and the road surface is not to be more than 2.5m and is to be visible to other road users on that side of the projection.

e. Has a lateral projection 305mm, side markers are to be fitted so that in respect of each side of the vehicle, one marker is visible from the front of the vehicle and one marker is visible from the rear of the vehicle.

3.3. **Marker tape**. Where it is not practicable to fit side marker boards the projection/vehicle is to be marked with tape so that the widest point is clearly visible from the front, rear and side of the vehicle. The tape should be made of day-glow, fluorescent or retro-reflective material which is approved by the British Standard Institution (BSI) or equivalent EU standard and be:

a. Red - to the rear of the vehicle,

b. Yellow - to the side of the vehicle; or

c. White - to the front of the vehicle.

3.4. **Amber warning beacon**. Vehicles in excess of 2.9m in width, or limited to a maximum speed of less than 25mph, are to be fitted with and use amber warning beacons. Vehicles used as an escort for oversize vehicles are also be fitted with and use amber warning beacons.

3.5. The light from at least one beacon (not necessarily the same beacon) should be visible from any point at a reasonable distance from the vehicle (or trailer drawn by it). The light emitted from the beacons should be visible to other road users throughout a 360^{o} plane. The beacon(s) should be fitted so that it is at least 1200mm from the ground and should provide a constant flash rate of between 60 and 240 flashes per minute.

3.6. **Visibility of markings**. No obligatory lamp, reflector or rear marking on a vehicle should be obscured by any other part of the vehicle, its equipment or load carried; they should all be visible to other road users at all times.

3.7. **In-cab height warning**. Where the height of an oversize vehicle exceeds 3m, appropriate warning labels fitted in the driving compartment, or other documentation warning the driver of the actual height of the vehicle[2] should be clearly visible. The information provided should be in feet and inches (or feet and inches and metres). The size of the text on the notice should be at least 40mm. Where the notice shows both feet/inches and metres the height conversion calculation should be accurate.

3.8. In addition, the driver and crew should be provided documents (such as maps) giving details of the route and the height of bridges or other overhead obstructions.

4. **Tracked Armoured Vehicles (AV(T)) speed limits**. It is accepted that AV(T) are designed to operate safely at speeds exceeding the 20mph limit imposed on commercial tracked vehicles; Defence has a derogation in place permitting AV(T) to operates on public roads at speeds not exceeding 40mph.

4.1. Those responsible for the use of track laying vehicles on UK public roads should have appropriate management arrangements and controls in place to ensure that:

a. Vehicles with a Maximum Authorised Mass (MAM) not exceeding 30t are operated at a speed not exceeding 40 mph.

[2] The total height shown on the notice should not be less than the actual height of the vehicle or roof mounted equipment nor be more than 150 mm above that height.

b. Vehicles with a Maximum Authorised Mass (MAM) exceeding 30t are operated at a speed not exceeding 30 mph.

4.2. Regardless of activity or the MAM of the vehicle, procedures should include arrangements to ensure that the maximum safe operating speed for each vehicle as documented in the specific safety case is not exceeded.

Guidance Material

The Road Traffic Act 1988

The Road Vehicles (Authorisation of Special Types (General) Order) 2003

The Road Vehicles (Construction and Use) Regulations 1986

Table 1: Maximum Vehicle Dimensions (UK)

Length	Single Motor Vehicle	12m
	Articulated Vehicle	18m
	Motor Vehicle and Trailer	18.75 m
	Track-laying Vehicles	9.2m
Width	Motor Vehicle	2.55m
	Refrigerated Vehicle	2.60m
	Trailer towed by a vehicle exceeding 3500kg plated weight	2.55m
	Any other trailer	2.3m
The overall width of a vehicle/trailer (or part thereof) should not exceed 6.1 metres		
Gross Weight (The gross weight of a vehicle is determined by axle spacing – these figures are given as a generalisation)	**Rigid vehicle with**: 2 axles 3 axles 4 or more axles	 18,000kg 25,000kg 30,000kg
	Tractor Unit: 2 axles 3 or more axles	 18,000kg 25,000kg
	Trailer (not semi-trailer or centre-axle) with: 2 axles 3 or more axles	 18,000kg 24,000kg
	Vehicle Combinations: Rigid vehicle towing a tlr with: 3 Axles 4 Axles 5 Axles 6 Axles	 22,000kg 30,000kg 34,000kg 41,000kg (Note - some vehicle/trailer combinations may operate to 44,000kg)
	Articulated vehicles with: 3 Axles 4 Axles 5 Axles 6 Axles	 26,000kg 36,000kg 40,000kg 41,000kg (Note - some vehicle/trailer combinations may operate to 44,000kg)
Height	4 metres	See also Maximum Heights
Sideways Projection		305 mm
Forward / Rear Projection		3.05 m
Maximum Heights	In the UK only buses are governed by height restrictions. Due to the vast range of vehicles and ancillary equipment the MOD uses this as a maximum height for planning and control purposes.	4.00 m (Europe only) Vehicles exceeding 3m overall height (including any part of a load/eqpt) may be subject to other requirements such as in-cab warning notices or easily accessible route details to eliminate risk of bridge strike. See Para 18.

Table 2: Width Requirements

Vehicle Width	Escort Required	Attendants Required	Inform Police	Inform HA	Remarks
Over 2.9m			Y		Escorts shall be considered*
Over 3m		Y	Y		
Over 3.5m	Y	Y	Y		
Over 5m	Y	Y	Y	Y	
Over 6m	Police	Y	Y	Y	
* see DCOP 13 paragraphs 2.3 – 2.8					

MTSR DCOP NO 14 - DRIVER MANAGEMENT

Regulation

Those planning, managing, supporting or operating MOD provided vehicles shall ensure that arrangements are in place to ensure that drivers are appropriately managed.

Sub Clauses

1. **Licensing**. Those managing transport activities shall ensure that all drivers hold a valid driving licence, are formally trained and certified to drive and operate each vehicle category and platform type.

2. **Driving overseas**. Those managing transport activities shall ensure that all drivers are appropriately trained and certified to drive when employed overseas.

3. **Driver's hours**. Those managing vehicle related activities shall ensure that all drivers of MOD provided vehicles, or those driving privately owned vehicles on MOD Business, have sufficient rest prior to driving and that duty and driving hours are appropriately managed.

4. **Military vehicles exceeding 3.5t Maximum Authorised Mass (MAM)**. Those managing transport activities shall ensure that drivers of wheeled vehicles including Armoured Vehicles (Wheeled) (AV(W)) and vehicles used for firefighting or fire salvage purposes, which are in excess of 3.5t MAM, hold a valid driving licence entitlement which equates to the MAM of the vehicle (Category C1 or Category C), or passenger carrying capability (Category D1 or Category D) of the vehicle being driven.

5. **Commanders of crew served platforms**. Those managing transport activities shall ensure that Commanders of crew served platforms hold a valid driving licence, are formally trained and certified for the vehicle category and platform being commanded.

6. **Entitlement to carry passengers in Dual Purpose Vehicles**. Those managing transport activities shall ensure that a member of the armed forces, when driving a dual-purpose vehicle, holds a valid driving entitlement for the Category of vehicle being driven; and that not more than 24 passengers are carried.

7. **Young drivers**. Those managing transport activities shall ensure that all members of the armed forces, who fall below the normal age requirements for driving licence acquisition, are provided with additional training regarding licence limitations and/or conditions of use.

8. **Driver continuation and professional competence training**. Those managing transport activities shall ensure that drivers are provided with continuation training commensurate with their driving activities and role.

9. **Visiting forces**. Those planning, supporting or undertaking transport activities involving visiting forces to the UK, or when MOD is operating overseas, shall ensure that:

    (4) All personnel are aware of how legislation affects their use of vehicles and associated driving activities.

    (5) Where an individual is required to operate a vehicle that belongs to another nation, they are formally trained and certified.

10. **Driver responsibilities**. Management arrangements shall be in place to ensure that all personnel driving vehicles on MOD business are aware of their responsibilities and fully comply with Defence regulations.

Rationale

Although there are DEDs available in relation to UK legislation, it is a Defence requirement that all MOD driver activity is managed appropriately in order to ensure where exemptions in law exist, appropriate standards are maintained. Legislative requirements are used as the baseline for developing and maintaining Defence standards.

This regulation outlines Defence specific requirements to compliment legislation while putting in place conditions to ensure that DEDs are appropriately managed, and that Defence has suitable controls in place.

Defence Code of Practice (DCOP)

1. **Licensing**. Those managing or controlling transport activities are to have arrangements in place to ensure that drivers of MOD provided vehicles hold a valid driving licence entitlement appropriate to the vehicle category to be driven. Due consideration should be given to the age and experience of a driver when allocating tasks.

1.1 Those managing or controlling transport activities are to have arrangements in place to ensure that all drivers undertake vehicle/platform specific training to allow them to drive and operate the vehicle safely. As a minimum this training should cover:

a. Vehicle characteristics.

b. Operating capability.

c. Day/night driving.

d. Off road /cross country driving as appropriate.

e. Use of ancillary equipment.

1.2 Evidence of training should be supported by a certificate, detailing the type of training conducted and the entitlements afforded. The certificate should be in the form of a drivers permit.

1.3 **Driver licence checks**. Those managing or controlling transport activities should ensure that personnel who are required to drive and operate MOD provided have their licences and permits checked on a regular basis to ensure they are valid and appropriate for the type of vehicle being used. The driver should carry their licence and any associated driving permit, whenever driving an MOD provided vehicle.

2. **Driving overseas**. Those managing or controlling transport activities overseas are to have arrangements in place ensure that drivers are in possession of all driving documentation required by the host nation. This could include international driving permits, licences, insurance certification, or additional vehicle documentation requirements.

2.1. All personnel required to drive MOD vehicles overseas should receive sufficient training to reflect the National requirements to enable them to drive and operate safely. Training should include knowledge of national legislation, traffic regulation and traffic signs.

2.2. Evidence of training should be supported by a certificate, detailing the type of training conducted and its validity. The certificate should be in the form of a drivers permit.

3. **Driver's hours.** Those managing, controlling or using MOD provided vehicles are to have in place appropriate arrangements to ensure that drivers fully comply with the requirements of drivers' hours legislation in so far as is reasonably practicable. Enforcing rest periods and recording the hours driven during the working period is essential for the improvement of road safety and the reduction of accidents.

3.1. Where an individual is required to undertake arduous activities, an appropriate period of rest should be taken prior to being permitted to drive. Those responsible for the control and management of arduous training should ensure periods of rest are included in the training programme and taken prior to course dispersal.

3.2. Where Defence operational requirements prevent full compliance arrangements and procedures should be established and maintained to ensure the safety of drivers and others during the conduct of vehicle related activity. Full consideration should be given to the management of duty time, driving time, breaks and rest periods for all personnel undertaking driving duties.

3.3. Members of the Reserve Forces and Cadet Force Adult Instructors who are professional civilian drivers are to ensure they take appropriate daily or weekly rest prior to and following weekend training sessions or annual camp training.

3.4. The requirement to take adequate rest before driving applies equally to the vocational driver who is employed to drive large goods vehicles as it does to the individual who only drives once a year on MOD business.

3.5. A table of drivers hours and rest requirement standards is shown at Annex A to this DCoP.

4. **Military vehicles exceeding 3.5t Maximum Authorised Mass (MAM).** Those managing or controlling transport activities are to ensure that all drivers of military vehicles, including Armoured Vehicles (Wheeled) (AV(W)) and those vehicles used for fire-fighting or fire salvage purposes, which are in excess of 3.5t MAM are in possession of a valid driving licence entitlement which equates to the MAM of the vehicle (Category C1 or Category C), or passenger carrying capability (Category D1 or Category D) of the vehicle being driven.

5. **Commanders of crew served platforms.** In order to ensure the safe movement of a crew served platform, those responsible for the management or control of activity should appoint a vehicle commander. While the driver remains responsible for the control of the vehicle, there will be occasions where the commander will be required to assist the driver. It is therefore essential that commanders have sufficient appropriate knowledge, skills and experience to perform their duties.

5.1. Those responsible for the management or control of activity are to ensure that personnel appointed as platform commanders hold a valid driving licence entitlement for the vehicle they are to command. As a minimum the commander should hold:

a. Tracked Vehicle Commander - Category B and H entitlements.

b. AV(W) Commander - a valid driving licence that equates to the MAM or passenger carrying capacity of the vehicle being commanded.

5.2. Those responsible for the management or control of activity should ensure that all commanders undertake vehicle/platform specific training to allow them to command and operate the vehicle safely. As a minimum, the training should cover:

a. Vehicle characteristics.

b. Operating capability.

c. Day/night driving.

d. Off road /cross country driving as appropriate.

e. Conduct of crew.

f. Use of ancillary equipment.

g. Emergency procedures.

5.3. Evidence of training should be supported by a certificate, detailing the type of training conducted and the entitlements afforded. The certificate should be in the form of a drivers permit.

6. **Entitlement to carry passengers in Dual Purpose Vehicles**. In order to meet Defence capability requirements, a member of the armed forces holding a valid driving entitlement for the Category of vehicle being driven, may drive a dual-purpose or large goods vehicle to carry passengers.

6.1. Those responsible for the management or control of activity should ensure that arrangements are in place to ensure that:

a. Where vehicles are adapted for the carriage of personnel:

(1) Only approved seating is used.

(2) All seating is fitted by appropriately trained personnel.

(3) No LGV carries more than 24 passengers.

b. The carriage of passengers is for naval, military or air force purposes only.

c. The driver:

(1) Holds a valid driving entitlement for the MAM of the vehicle being driven.

(2) Is SQEP and competent to carry passengers.

d. Passengers are supervised at all times during transport.

7. **Young drivers.** In order meet Defence capability requirements a member of the armed forces holding a valid driving entitlement, may operate a vehicle (including LGV and Motorcycles) at a younger age than a civilian, where the vehicle is being driven for naval, military or air force purposes.

7.1. **Military personnel riding motorcycles**. Those managing transport activities should ensure that members of the Armed Forces, who are permitted to ride more powerful motorcycles at a younger age than a civilian, should be provided with additional training to ensure the safety of the individual and others.

7.2. Those responsible for the management or control of activity are to have appropriate arrangements in place to ensure that members of the Armed Forces, who are permitted to drive vehicles at a younger age, are provided with additional training to ensure they are aware of licence limitations or conditions associated with such use. Such training should include:

a. The type(s) of vehicle they may drive for armed forces purposes.

b. The consequences of gaining penalty points on their licence.

c. The actions to be taken to inform the necessary authorities of any loss of licence prior to reaching national driver age limits.

7.3. Those responsible for the management or control of activity should be aware of, and have arrangements in place for administrative action where:

a. A driver under 21 years of age holds a vocational licence entitlement and gains 3 or more penalty points, that driver will have their vocational entitlement revoked. In these circumstances, the driver will be unable to regain their vocational licence entitlement until they reach the age of 21, or a longer period as determined by the Secretary of State.

b. A driver gains more than 6 penalty points within 2 years of passing their driving test. In these circumstances, their licence will be automatically revoked and revert to provisional status.

8. **Driver continuation and professional competence training.** Those managing or controlling transport activities are to have appropriate arrangements in place to ensure that all drivers of MOD provided goods and passenger vehicles fully comply with the legislative requirements for vocational drivers, in so far as is reasonably practicable.

8.1. Those managing or controlling transport activities should have appropriate arrangements in place to ensure that personnel who are required to drive and operate MOD provided vehicles undertake training commensurate to their driving activities. Arrangements should include the requirement for personnel holding vocational entitlements to receive vehicle/platform specific training to allow them to drive and operate the vehicle safely. Training should include:

a. Vehicle characteristics.

b. Day/night driving in the rural and urban environment.

c. Off road/cross country driving.

d. Application of driver's hours and duty time policy.

e. Driver responsibilities.

f. Safe loading and load restraint.

9. **Visiting forces**. Those planning, co-ordinating, supporting or undertaking transport activities involving visiting forces to the UK should have arrangements are in place to ensure that all personnel involved are aware of UK driving regulations and standards required.

9.1. When training, operating or exercising with visiting troops using their own vehicles, or associated equipment, in the UK a legislation compliance check should be undertaken prior to commencement of activity to clarify how UK legislation may apply or affect visiting force activity.

9.2. Where there is a requirement for visiting forces to use MOD provided vehicles and equipment, those planning, co-ordinating, supporting the activity should have in place, arrangements for the provision of formal training, and certification where appropriate, to ensure safe operation.

10. **Driver responsibilities**. Management arrangements are to be in place to ensure that all personnel driving vehicles on MOD business are aware of their responsibilities and fully comply with legislative and Defence requirements.

10.1. **Licensing**. An individual should only operate a vehicle for which he has:

a. The appropriate driving licence entitlement.

b. Received formal training, including platform specific training.

10.2. **Use of privately owned vehicles.** Where Defence policy allows an individual to use a privately owned vehicle for Defence business the driver should provide evidence that the vehicle is fit for such use. This should include providing details of:

a. The vehicle's roadworthiness and valid MOT Certificate.

b. The vehicle is correctly taxed.

c. The driver is insured as a named driver for the vehicle and appropriate business use cover is provided.

10.3. **Vehicle checks.** Management procedures should be in place to ensure that drivers conduct a basic check of any MOD provided vehicle prior to use. The check should ensure that there are no obvious faults that would affect safe use and occupant safety. Where a fault is found which may affect vehicle safety, the fault(s) is to be reported and the vehicle is not to be used until the fault(s) are rectified. A record of vehicle checks should be maintained, including:

a. Details of the individual conducting the checks.

b. Details of faults found and action taken.

c. Details of the vehicle status.

10.4. **Speed limits and vehicle speed restrictions**. Management procedures should be in place to ensure that drivers are aware of any applicable speed limits associated with the vehicle they are required to drive. Due to their design, configuration or types of tyre used, many MOD vehicles are subject to speed restrictions, which are often lower that national limits. Drivers of MOD vehicles should therefore be aware of any speed restriction placed on the vehicle they are driving and ensure that this is not exceeded.

Guidance Material	Regulations (EC) No 561/2006 Transport Act 1968 The Community Drivers' Hours and Recording Equipment Regulations 2012 Vehicle Drivers (Certificate of Professional Competence) Regulations 2007 SI 2007/605 The Road Traffic Act 1988 The Motor Vehicles (Driving Licences) Regulations 1999 (SI 1999/2864) Visiting Forces and International Headquarters(Application of Law) Order 1999 Road Traffic (New Drivers) Act 1995

ANNEX A TO MTSR DCOP NO 14 - DRIVERS' HOURS AND REST REQUIREMENT STANDARDS

Aim

1. This Annex sets the standards to be applied in respect of driver's hours and rest requirements. These standards are to be reflected within all appropriate Defence policy and guidance documentation which cover the management, control and use of MOD provided vehicles.

Applicability and Scope

2. This Annex is applicable to Defence and Service personnel, Defence contractors and partners who are employed by MOD and who are required to drive MOD provided vehicles.

3. The hours of work for drivers of goods and passenger vehicles on journeys within the EC are, depending upon the type of vehicle and operation, governed by Domestic (Transport Act 1968 (Part VI) as amended or EC Regulations (EC Regulation 561/2006 as amended) and The Road Transport (Working Time) Regulations 2005 (as amended). Their purpose is to improve road safety by enforcing (and recording) the hours driven and the rest taken during the working day/period. However, whilst the MOD is granted an exemption from strict compliance with this legislation, it chooses to apply the spirit of these rules, but widen the concept to include all personnel that drive MOD provided vehicles, for their safety and as a duty of care.

4. This Annex should be read in conjunction with MOD Working Time Rules for Civilian Employees and does not confer any authority to grant overtime.

DRIVERS' HOURS DEFINITIONS

5. **Definitions**. These definitions refer to the various terminology used to describe the different areas that describe MOD Drivers' Hours. They are, in the main, similar to those used in EU Regulations with some aspects unique to the MOD:

a. **MOD Driver.** Any individual who drives or controls an MOD provided vehicle.

b. **Driving.** Time spent at the controls or behind the steering wheel with the engine running for the purpose of controlling vehicle movement (regardless if the vehicle is moving or stationary).

c. **Other Work.** Any duty activity other than driving, when an individual is carrying out work in relation to their employment. Examples are: acting as work party, attending briefings, planning routes, vehicle commander, formal attendant, navigating, vehicle loading and unloading, vehicle maintenance and guard duties etc.

d. **Break.** A block period of time of at least a minimum of 15 or 30 min when a driver takes a break from actual driving or 'other work'. Breaks may be taken in a vehicle (that is being driven) by members of the crew who are not engaged in 'other work'. The period of time spent on a 'break' should be counted against the total 'daily duty period'.

e. **Rest.** Defined for MOD purposes as any period of time of no less than 1 hour (including meal times), whereby the driver can relax and freely dispose of their time (depending on the given situation). For example, during exercise or on operations an individual who is free to go to their accommodation or bivouac and sleep would be classed as being on 'rest'. Time spent on 'rest' is not counted against the total 'daily duty period'. It is a driver's responsibility to ensure that sufficient sleep is taken during this period.

f. **Continuous Driving Period.** The time spent 'driving' without a break.

g. **Daily Driving Period.** The amount of time spent 'driving' during a 'daily duty period'.

h. **Daily Duty Period.** Any combination of time spent driving, working or on breaks. The daily duty period can begin at any time of day or night (following the previous 'daily rest period') and continues until the next 'daily rest period'.

i. **Weekly Driving Time.** The total time spent 'driving' during a weekly working period.

j. **Weekly Working Period (Normal Operating Standard only).** The period between 00:00 hours on Day 1 and 23:59 hours on Day 7 (7 full days). This can be made up of a maximum of 6 'daily duty periods' before a 'weekly rest period' should be taken.

k. **Daily Rest Period.** An unbroken period of 'rest' taken after a 'daily driving period' within 24-hours of starting work. This period of 'rest' should separate two 'daily duty periods'. When operating on Schemes A and B, 'daily rest periods' may be taken in a stationary vehicle provided that it is fitted with a bunk to sleep comfortably. It is a driver's responsibility to ensure that sufficient sleep is taken during this period.

l. **Weekly Rest Period.** An unbroken period of 'rest' taken after no more than 6 'daily duty periods'.

m. **Weekly Non-Driving Period (Enhanced Operating Standard only).** During exercises or on Operations the 'weekly rest period' should be replaced by a minimum non-driving period of 24-hours; this is to aid operational effectiveness whilst providing a period of rest. This period should consist of a full break from driving with the final 8 hours taken as unbroken rest. During this period CO/HoE may authorise routine work or non-strenuous military training activities, such as weapons training, first aid training or similar activities. Strenuous activities such as Combat Fitness Tests, route marches or any activity involving sleep deprivation would not be appropriate. An individual may carry out sentry duties, provided the total time does not exceed 6 hours within this 24-hour period.

6. **MOD Interpretation of Civil Drivers' Hours Legislation**. It is MOD policy to comply with drivers' hours legislation so far as it is reasonably practicable. To do this legislation has been adapted to suit the needs of Defence. This ensures the MOD maintains full control of its drivers and equipment without reducing overall effectiveness.

7. **MOD Tachograph Exemption Certificate**. All MOD vehicles over 3.5T MAM or those fitted with more than 8 passenger seats should carry a copy of the exemption certificate. This certificate should be shown on request by any relevant authority.

8. **MOD Personnel Engaged in Secondary Employment**. In accordance with Single Service Regulations, personnel are permitted to request permission to undertake secondary employment. It is the responsibility of CO/HOE to ensure that before authority is granted, due consideration is given to the effect it may have on the individual's MOD driving duties, regardless of whether such secondary employment entails driving.

9. **Drivers' Hours Schemes**. Due to the wide range of activities undertaken by personnel driving or operating MOD vehicles, it is not possible to have a single set of rules relating to all driving activities. The rules are therefore subdivided and referred to as either Normal or Enhanced Operating Standards. In outline, these are:

a. **Normal Operating Standards (NOS).** These standards apply during routine administrative activities and follow, where practicable, the civil legislation relating to the activity and nature of vehicle being utilised. These are covered under the following schemes:

(1) **Scheme A**. Designed to meet the needs of 'drivers' of MOD vehicles under 3.5 tonnes Maximum Authorised Mass (MAM) or with 8 or less passenger seats.

(2) **Scheme B**. Designed to meet the needs of drivers of all MOD vehicles, including AFV's, not covered by Schemes A, C or D.

b. **Enhanced Operating Standards (EOS)**. It may not be possible to conduct certain activities, such as exercises and operations, using NOS. To provide additional flexibility, a range of Enhanced Operating Standards (EOS) are available. These are:

(1) **Scheme C**. Designed to meet the needs of drivers and commanders of MOD vehicles during general combat training exercises where Scheme B would not provide sufficient flexibility.

(2) **Scheme D**. Designed to meet the needs of individuals who may be expected to drive as part of their duty in excess of NOS for extended periods, such as on call 24-hr duty personnel, drivers on MAC tasks etc. This provides unit CO/HoE with the ability to demonstrate a practical yet reasonable degree of flexibility to allow personnel to carry out their duties and maintain operational capability.

c. **Operational Drivers' Hours**. Due to the unique nature of operational environments, the requirements to exceed NOS and EOS may be authorised. The Operational Command is to recognise the risk of driving on extended drivers' hours. Operational Drivers' Hours may also be applied to formations that are undergoing training for the specific Operation[1] or during specific schools based training evolutions (e.g. Land Warfare Centre); FLCs are responsible for granting this authority.

10. **Effects of Fatigue**. All personnel can be affected by fatigue whilst driving. The speed of onset and how individuals are affected can differ from person to person. It should be recognised that the effects are cumulative and cannot be trained against. Before Commanders and senior officers set work patterns and duty periods, consideration for the onset and effect of fatigue should be made. Fatigue guidance is available on the Defence Logistic Framework.

APPLICATION OF SCHEMES AND RECORDING OF HOURS

11. **Application of Drivers' Hours Schemes**. Drivers' hours schemes apply to all drivers of vehicles under the control of the MOD. The CO/HoE should determine which scheme is most appropriate to the personnel in their charge and the vehicle being driven.

12. **Duty Drivers**. Dependent on vehicle type and unit circumstances, Duty drivers may operate IAW Scheme A or B. Personnel undertaking duty driver responsibilities should have had the 'minimum daily rest period' prior to commencing duty.

13. **MOD Contractors**. Dependent on the nature of the contract or purpose of employment, contractors may be required to drive MOD provided vehicles and should adhere to the most appropriate drivers' hours policy, as follows:

a. **Contractors Employed to Provide Driving and Vehicle Management Operated Services Not under the Control of the MOD.** Personnel employed as drivers in fully contracted-out transport sections, operating vehicles which are not under the control of the armed forces, shall comply with the appropriate civilian drivers' hours regulations.

b. **Contractors Employed to Provide Driving and Vehicle Management Operated Services Under Control of the MOD.** Personnel employed as drivers in contracted road transport sections that operate vehicles which are under the control of the MOD shall use schemes A or B as appropriate.

[1] Training is Pre-Deployment Training, Confirmatory Exercises or Mission Rehearsal Exercise for the Operation.

c. **Other Contractors and Agency Staff.** Contracted personnel authorised to drive vehicles[2] that are under the control of the MOD, shall use the appropriate schemes commensurate with their work.

14. **Legislation Compliance Assessment (LCA)**. Prior to commencing any activity in which civilian contractors are permitted to use an MOD provide vehicle an LCA should be conducted to ensure that they are operating within the law. See DCoP No 1: M&T Safety Management.

15. **Recording Drivers' Hours**. Vehicles owned by the armed forces, or hired without a driver, and being used for armed forces purposes, are exempt from the requirement to have recording devices fitted to the vehicle. The CO/HoE should therefore ensure that drivers of MOD vehicles (less drivers operating under Scheme A – unless required under unit MT Standing Orders) record their driving hours and rest periods. The CO/HoE should also ensure that drivers update their records at every available opportunity and that they are regularly monitored; details regarding unit procedures for monitoring drivers' hours should be contained within unit MT Standing Orders. Further direction as to when and how Drivers' Hours should be recorded are:

a. **Requirement to Record.** Where required, a driver should record their hours for every day they are driving or are expected to drive. During periods of leave or prolonged absence from duty there is no requirement to maintain records. However, prior to returning to driving duties the details of the last weekly rest period should be shown. Abstinence from recording drivers' hours can only be authorised by the Unit Transport Manager.

b. **Retention of Records.** The driver should keep completed record sheets for the current week plus the previous week whenever records are utilised. Information from the record sheets may then be transferred to a suitable IT system for easy reckoning, but the original sheets should be retained by the unit for 2 years for audit purposes.

c. **Exemptions to Maintaining Records.** Unit Transport Managers shall give consideration as to whether the recording of drivers' hours is appropriate under the following circumstances only:

(1) **Local Journeys.** Drivers operating on schemes A and B carrying out local journeys (i.e. in-camp movement). Details should be contained in the Unit MT Standing Orders or Directives. Activity levels should be closely monitored and if circumstances change and driving times increase, drivers should revert to recording drivers' hours.

(2) **Conducting Vehicle Road Tests.** The recording of drivers' hours is not required by MOD personnel whilst conducting vehicle road tests, technical development, for repair or maintenance purposes.

d. **Deploying on Exercise.** Personnel deploying on exercise, who are to drive at any point, should start recording drivers' hours from the last full 'weekly rest period' prior to deployment. If without prior notice personnel are selected to drive for an exercise, then records should be produced from the last full 'weekly rest period' as accurate as possible. This will ensure a record of weekly rest periods exists prior to exercise.

e. **Driving IAW EOS Schemes.** Operating iaw these schemes often involves driving for longer periods with reduced breaks and rests. Therefore, drivers' hours should be recorded at all times for personnel operating iaw any EOS Scheme. Before returning to NOS schemes, drivers should have a full 'daily rest period' or 'weekly rest period' as appropriate.

[2] The requirement to drive MOD vehicles should be detailed in the individuals contract.

DRIVING AFTER AIR TRAVEL

16. **Managing the Dangers of Post-Flight Travel Fatigue**. Managing travel fatigue experienced by personnel after travelling by air transport is extremely difficult. Passenger fatigue is common post-flight and often exacerbated from travelling through different time zones at unsociable hours. Personnel, who drive post-flight, without sufficient rest or sleep, pose a significant danger to themselves and other road users. To ensure that personnel are not exposed to unnecessary risks that may result in an otherwise avoidable RTA, units should adopt a safe working practice to manage such risks.

17. **13-Hour Duty Period - Travel Time**. Personnel whose total travel time does not exceed the 13-hour Duty Period, may be permitted the use of a vehicle, provided that:

a. The individual has had 11 hours consecutive rest prior to driving and the duty period.

b. The driver is fit to continue and is not suffering from excess fatigue.

c. The driver should be made aware that delays may extend their duty period beyond 13 hours. Circumstances beyond the drivers' control (i.e. traffic accidents etc.) may necessitate the need for the driver to reassess their journey time. If the driver is fit to continue and is not far from their destination, then common sense may determine that it would be wise to continue. However, if an hour or more of journey time remains and / or the driver is feeling sleepy, then either accommodation or a suitable place to stop and rest should be found at the earliest opportunity. Only on completion of adequate rest should the driver continue.

18. **Drivers' Declaration of Understanding 'Driving After Flights'**. If an individual requests the use of a self-drive vehicle after a flight, then a declaration that they are fit to drive should be signed. This declaration is an acknowledgment of the 13-hour duty time and informs the individual of NOS Drivers' Hours and the inherent risks of driver fatigue. A copy should be given to the individual along with their flight details and the original is kept by the Admin Support Staff approving the vehicle.

19. **Journeys Exceeding the 13-Hour Duty Period – Travel Time**. When total journey time exceeds the 13-hour duty period, personnel are not permitted to immediately drive self-drive vehicles to continue their journey. Only after sufficient rest of at least 8 consecutive hours (taken in suitable accommodation) has been taken, should an individual be permitted to drive and continue the journey by self-drive means. Other options are unit collect; use of rail warrants or use of car and driver services (taxi), where available and authorised.

NORMAL OPERATING STANDARDS (NOS)

20. **General NOS**. When operating MOD vehicles on routine transport activities, it is MOD policy to comply with the spirit of the relevant EU legislation and this is referred to as Normal Operating Standards (NOS). The NOS are covered by two schemes (A and B), each dealing with slightly separate requirements. The CO/HoE should determine which scheme applies to their personnel depending on their role and refer to this in unit MT Standing Orders.

SCHEME A

21. **Applicability**. Scheme A is based on the Working Time Regulations 1998 and EU vocational drivers' hours rules and applies to MOD vehicles which are under 3.5 tonnes Maximum Authorised Mass (MAM) or those designed with 8 (or less) passenger seats.

22. **Application of Drivers' Hours**. The relevant duty times shown in Scheme A (Table 1) are the maximum permitted in a single week. Compensating reductions in subsequent weeks may therefore be required to comply with MOD Working Time Regulations (WTR). Individuals signing

the WTR Opt-Out agreement should be made aware that such action would only apply to work related hours, not driver's hours or rest requirements.

Table 1: Scheme A

Ser	Description	Time	Notes
1	**Max Daily Duty Period**	**13 hrs**	Duty time is a combination of driving time, other work and breaks. This may be extended to 15 hrs on no more than 3 times per week. See Note 1.
2	**Max Daily Driving Time**	**9 hrs**	Actual time 'behind the wheel'. This may be increased to 10 hrs on two occasions within a week. See Note 1.
3	**Max Continuous Driving Period**	**4.5 hrs**	Individuals should not drive continuously for more than 2 hrs without a break. See Note 2.
4	**Min Break after 'Max Continuous Driving Period'**	**45 min**	A max continuous driving period should be followed by a break of at least 45 min. This may be split into two periods. The first period being at least 15 min and the second, which should be taken before, or at the end of, the continuous driving period, of at least 30 min.
5	**Min Daily Rest Period**	**11 hrs (unbroken)**	This may be reduced to 9 hours (unbroken) on no more than 3 times a week. Every effort should be made to take at least 8 hours sleep during this rest period. See Note 2
6	**Min Weekly Rest Period**	**24 hrs (unbroken)**	Should be taken after no more than 6 consecutive duty periods following the last weekly rest period.
7	**Max Weekly Driving Time**	**56 hrs**	Total driving time between 2 weekly rest periods. It does not however, authorise any overtime requirement and is subject to the application of the MOD WTR and any 'Opt-Out' agreements.
8	**Max Weekly Duty Time**	**84 hrs**	This figure may exceed individual permitted contracted hours It does not however, authorise any overtime requirement and is subject to the application of the MOD WTR and any 'Opt-Out' agreements.
Notes: 1. Care should be taken to ensure that weekly maximum driving or duty times are not exceeded. 2. See fatigue guidance on the DLF.			

23. **Drivers' Hours Records**. Unless required by unit MT Standing Orders, drivers' hours records are not mandatory for drivers operating vehicles covered by Scheme A.

SCHEME B

24. **Applicability**. This scheme is based on the EU Vocational Drivers' Hours rules and applies to all drivers of MOD vehicles over 3.5 tonnes MAM or designed with more than 8 passenger seats, AFVs and other combat vehicles. This scheme applies to drivers of all MOD vehicles on exercise or on deployed operations not operating under EOS or Operational Schemes. Details of Scheme B are shown in the Table 2.

Table 2: Scheme B

Ser	Description	Time	Note
1	**Max Daily Duty period**	**13 hrs**	This may be extended to 15 hrs on no more than 3 times per week (applied alongside serial 5). Duty time is a combination of driving time, other work and breaks.
2	**Max Daily Driving time**	**9 hrs**	This may be increased to 10 hrs on two occasions within a week.
3	**Max Continuous Driving period**	**4.5 hrs**	Individuals should not drive continuously for more than 2 hrs without a break.*
4	**Min Break after 'max continuous driving period'**	**45 min**	A max continuous driving period should be followed by a break of at least 45 min. This may be split into two periods. The first period being of at least 15 mins and the second, which should be taken before, or at the end of, the continuous driving period, should be of at least 30 min.
5	**Min Daily Rest period**	**11 hrs unbroken**	This may be reduced to 9 consecutive hours no more than 3 times per week. Every effort should be made to take at least 8 hours Sleep during this Rest period.
6	**Min Weekly Rest period**	**45 hrs**	Should be taken after no more than 6 successive periods of 24hrs following the last weekly rest period.
7	**Reduced Weekly Rest period**	**24 hrs**	Weekly rests can be reduced to 24 hrs. However, a 45-hr rest period is required in any two consecutive weeks.
8	**Max Weekly Driving time**	**56 hrs**	Total driving time between 2 weekly rest periods. It does not however, authorise any overtime requirement.
9	**Max Fortnightly driving time**	**90 hrs**	This figure may exceed individuals permitted contracted hours. It does not however, authorise any overtime requirement.
* See fatigue guidance on the DLF.			

25. **Double Manning – Extended Duty Periods**. On occasions, it may not be possible to complete a specific road transport task within a single daily duty period. This will normally require an overnight halt before the journey can be completed; but this may not always be practical or efficient due to availability of suitable accommodation or due to the urgency of the task. On such occasions, the Unit Transport Manager may give consideration to the double manning of the vehicle with appropriately qualified drivers, which can increase the total duty time for vehicle and crew. For this rule to apply, both drivers should start their duty after a full daily rest period at the same time. If at any time one of the drivers is removed or replaced, then normal drivers' hours will apply. Effectively double manning will increase the working day from 24 to 30 hrs and is applied as follows:

a. **Driving Time and Duty Periods.** As with NOS each driver may drive for a maximum of 9 hrs (10 hrs 2 times per week), the maximum daily duty period is extended to 21 hours. Drivers should change after each of their maximum continuous driving periods of 4.5 hrs. Double manning of vehicles for a single crew may only occur twice in a weekly driving period.

b. **Breaks and Rest.** A driver may take their break on the moving vehicle whilst the other is driving; but this time should not be counted towards the daily rest period. A minimum rest period of at least 9 consecutive hours should be taken by both drivers at the end of the duty period. Where double manning rules have been applied for a single crew on two consecutive days, a 24-hour rest period should be taken prior to conducting further driving activities.

26. **Exceeding Driving Hours in Unforeseen Circumstances**. In cases where drivers have experienced long delays, or have been unable to reach a suitable stopping place, they may exceed their driving period in order to find a suitable rest area. In such circumstances drivers should:

a. Ensure they are fit to continue driving.

b. Assess the situation and take the most direct route to the next available rest area.

c. Ensure that adequate rest iaw the relevant driver's hours scheme is taken prior to commencing their journey.

27. **Emergency Life Saving Situations**. MOD personnel that are driving in a case where the safety and life of personnel may be endangered may exceed NOS until the immediate danger / emergency has passed. The driver should take all reasonable steps to ensure maximum safety is considered.

ENHANCED OPERATING STANDARDS (EOS)

28. **General EOS**. In certain circumstances, such as on exercise, operations or MAC tasks, NOS may not be suitable and it may be necessary to exceed these conditions. This section details how the application of drivers' hours in these circumstances should be managed. In outline, there are two schemes that enable NOS to be enhanced to EOS; these deal with exercises, operations or MAC tasks (Scheme C) or 24-Hr duty personnel (Scheme D). Operating under EOS may increase the onset of fatigue and CO/HoE should balance this risk against the success/requirement of the mission or task. When operating under EOS a certificate of dispensation from NOS should be in place.

SCHEME C

29. **Applicability**. This Scheme is designed to meet the task requirements of general combat training exercises or operations where Scheme B may not provide sufficient flexibility. It is applicable to the drivers of all vehicles and, where appropriate, vehicle platform commanders. If the intent is to operate under Scheme C, the CO/HoE is to ensure that a completed Risk Assessment is included in the Exercise/Op Instruction. Details of Scheme C are included in Table 3.

Table 3: Scheme C

Ser	Description	Time	Note
1	**Max Daily Duty period**	**17 hrs**	Duty time is a combination of driving time, other work and breaks.
2	**Max Daily Driving time**	**12 hrs**	Total time spent driving.
3	**Max Continuous Driving period**	**4.5 hrs**	Individuals should not drive continuously for more than 2 hrs without a break.*
4	**Min Break during the 'max continuous driving period'**	**45 min**	This may be split into periods of no less than 15 min.
5	**Min Daily Rest period**	**7 hrs**	This should include an unbroken period of at least 6 hrs.
6	**Weekly Non-Driving period**	**24 hrs**	The final 8 hours to be taken as unbroken rest.
7	**Max Weekly Driving time**	**72 hrs**	Total driving time between 2 weekly rest periods.
* See fatigue guidance on the DLF.			

30. **Operating under Scheme C**. Table 3 advises the maximum working/driving periods and minimum rest periods which may be authorised when operating under Scheme C. These periods are based on authoritative scientific research and exceeding the periods at Table 2 significantly increases risk. When planning to operate under Scheme C Table 3 should not be the default setting. The CO/HoE should establish the safest level they can operate under to complete their objectives; these levels should be included in the exercise instruction and be made known to all exercising personnel. When operating under Scheme C, drivers and vehicle commanders should be briefed fully on their responsibility to stop and rest if fatigue renders them unfit to continue. Hours of driving and rest periods should be recorded.

SCHEME D

31. **Applicability**. Where it is deemed appropriate for a unit to have personnel on call for 24 hrs a day, it may also be necessary for them to drive. Where practicable, this should be done within the guidance of Scheme B. Where Scheme B is deemed inappropriate, due to the length of duty time, consideration should be given to the use of Scheme D. Scheme D allows CO/HoE to exercise a degree of flexibility outside of the scope of NOS by use of reduced rest periods, allowing drivers to undertake their duties without falling foul of the schemes. This flexibility also permits a practical approach when coping with 'emergencies' or sudden 'On Call' situations. Scheme D can only be implemented after authority has been granted by the respective Command TLB Headquarters. Details of Scheme D are shown in Table 4.

Table 4: Scheme D

Ser	Description	Time	Note
1	**Max Daily Duty Period**	**24 hrs**	Or the time required by the duty.
2	**Max Daily Driving time**	**9 hrs (or as required)**	9 hrs for routine activity, but be increased as necessary to support call-out activity.
3	**Max Continuous Driving period**	**4.5 hrs**	Individuals should not drive continuously for more than 2 hrs without a break.*
4	**Min Break during the 'max continuous driving period'**	**45 min**	During a 4.5 hr driving period, breaks may be split into 2 periods, the first being at least 15 min and the second at least 30 min.
5	**Min Daily Rest period**	**11 Consecutive hrs**	Can be reduced to 9 hrs no more than 3 times per week; and further reduced to 8 hrs for drivers of emergency response vehicles on 24-hr duty. (During these Rest periods, sleep should be taken at every opportunity) **See Note** if these rest periods are broken.
6	**Min Weekly Rest period**	**45 hrs**	Should be taken after no more than 6 successive periods of 24 hrs following the last weekly rest period. See serial 7 for reduced weekly rest periods or **Note** if these rest periods are broken.
7	**Reduced Weekly Rest period**	**24 hrs**	Weekly rests can be reduced to 24 hrs. However, a 45-hr rest period is required in any two consecutive weeks. When a reduction in rest has been taken, this time should be compensated in block after a Daily or Weekly consecutive rest period within 21 days (See Figs 5 and 6). **See Note** if these rest periods are broken.
8	**Max Weekly Driving time**	**56 hrs**	May be increased as necessary to support call-out activity.
9	**Max Fortnightly driving time**	**90 hrs**	May be increased as necessary to support call-out activity.
Note. Emergency call-outs can happen at any time and may coincide with a drivers rest period. In this case, Unit Commanders should be satisfied that their drivers are fit to drive.			
* See fatigue guidance on the DLF.			

32. **Supervising Officers' Responsibility**. CO/HoE should ensure that stringent measures are in place to ensure that 'On Call' personnel who are required to drive are fit to do so. Particular attention should be given to the drivers' age, experience and ability. Officers in charge of supervising 'On Call' personnel should ensure that recorded measures are in place for drivers to report and check in so that supervising staff can be satisfied they are fit to drive vehicles and / or use equipment.

33. **Drivers' Responsibilities**. To minimise any risk of fatigue, the personnel associated with driving during 'On Call' duty should take rest at every given opportunity. This will ensure that drivers are in the best possible state of readiness prior to responding to an incident or emergency. Drivers should be fully aware of how to recognise the signs of fatigue and be fully briefed on the contents of the fatigue guides at Part 3[3]. It is the responsibility of the driver to inform the chain of command if they are unfit to drive. Drivers should not continue to drive if they experience effects of fatigue.

34. **Consideration in Using 'On Call' Duty Shift Patterns**. Where possible, duties should be planned around a '12h on / 12h off' or '24h on / 24h off' system. If neither of these shift patterns are feasible and the only option is to work a consecutive 24h duty period, then immediately after the sixth day a minimum period of 24 hrs rest should be taken.

35. **Types of 'On Call' Personnel**. The nature of the duty, individual vocation and manpower etc. will determine the levels at which Scheme D will need to be monitored. In general terms, personnel who perform an 'On Call' duty for periods of 24-hours generally fall into 3 types as follows:

a. **24-Hour Duty Personnel – (Likely to achieve adequate rest).** For example, Emergency Drivers operating in an environment where they are left alone to rest and sleep throughout the day or night, or are only tasked for essential duties during a 24-hour period or emergency call-outs. Drivers in this category should be able to operate within the parameters of NOS.

b. **24-hour Duty Personnel - (Unlikely to achieve adequate rest).** For example, Duty Medical Personnel, Aircraft Recovery Teams or unit Orderly Staff who work a normal day at the unit and then remain 'On Call' until the following morning. This type of duty presents no guaranteed opportunity to rest or sleep during the day. Drivers in this category may run the risk of exceeding NOS if called out during silent hours.

c. **24-hour Duty Long Duration Personnel – (Unlikely to achieve adequate rest).** For example, EOD Van Drivers or MOD personnel who are members of a team that is on continual Notice to Move (NTM) for long periods of time. These personnel often remain 'On Call' for 24-hours or more and work normal days at the unit whilst remaining 'On Call' every evening. This type of duty presents no guaranteed opportunity to rest or sleep during the day, therefore these personnel run the risk of exceeding NOS if called out during silent hours.

36. **Responding and returning from an Incident**. The total time spent responding to and then returning from an incident will vary depending on the duty type and the geographical size of the AOR. For example, an EOD Team are likely to encounter long distances and time away 'On Call', in comparison to an 'On Call' Doctor who may only travel locally and possibly experience less time away from the unit or station. Each 'call-out' time will be determined by the size and complexity of the task. To maximise the safety of drivers and passengers, attention to call-out durations should be considered to minimise the risk when travelling in vehicles to and from an incident. It is important that the following points are considered:

a. **Duration of 'Call-Out'.** The complexity of the task should be assessed and consideration given regarding the 'Call-Out' duration and time spent responding to and dealing with a situation. On arrival at an incident, if possible drivers should be given time to rest as soon as they have completed any essential duty.

[3] Reducing B Vehicle Driver Fatigue – A Unit Level Guide.

b. **Fatigue.** It is the responsibility of the driver to inform the chain of command if they are unfit to drive. Drivers should be fully aware of how to recognise the signs of fatigue and be fully briefed on the contents of fatigue guidance[4].

c. **Extra Drivers.** It may not be unusual for a 'call-out' to exceed a period of time whereby the personnel who are designated to drive feel too tired to return to unit lines safely and no one else (member of the section / crew) is available to drive. In this instance and under unit arrangements, another driver could be requested from the unit to return the 'On-Call' duty personnel to their parent unit.

d. **Accommodation.** As above, if a 'call-out' exceeds a period of time and the drivers are too tired to return to unit lines and no other drivers are available, then a means of securing the vehicles should be sought and alternative accommodation found. Only after adequate rest, should the drivers attempt to return to their parent unit. In any case, a unit operating under scheme D should have the option of either the use of extra drivers or the authorisation to use suitable accommodation if required.

37. **Replacement 'On Call' Duty Personnel**. If duty personnel have experienced a particularly busy period of 'call-outs', then consideration should be given as to whether the duty personnel are fit to continue immediately on to the next shift. If this is the case, then 'replacement' duty personnel (particularly drivers) should be tasked to take over until the original team have rested and are ready to continue.

38. **Application to Operate Under Scheme D**. CO/HoE should submit a justification requesting authority to operate under Scheme D to their appropriate Formation Headquarters for due consideration; if endorsed, the formation HQ is to submit to the respective TLB, who are to maintain a register of units permitted to operate under Scheme D. Units should give due consideration to the following when submitting a justification to operate under Scheme D:

a. Details of why manning levels prevent the unit from operating two separate shift patterns (e.g. 12 hours on / 12 hours off) or why the parameters of Scheme B would have a detrimental effect on operational capability.

b. A plan of control measures to be implemented, ensuring tight control and monitoring of personnel required to drive during 24-hour 'On Duty' periods.

c. A risk assessment of the requirement, identifying manpower shortages, the requirements of the duty and any dangers associated with driving when tired. These risk assessments should be reviewed every 6 months by the officer responsible for managing the duty personnel and countersigned by the CO/HoE.

39. **Changes in Circumstances**. Any change in circumstances that would no longer require a unit to operate under Scheme D should be brought to the attention of the respective TLB via the appropriate Formation Headquarters.

DRIVERS HOURS DISPENSATIONS

40. **Certificate of Dispensation – CO/HOE Responsibility**. The CO/HoE should personally complete and sign a Certificate of Dispensation. When a Certificate of Dispensation is issued, drivers and vehicle commanders shall be briefed on their responsibility to stop and rest when fatigue renders them unfit to continue. Each originally signed Certificate of Dispensation is to be retained for two years from the end of the dispensation period.

[4] Reducing B Vehicle Driver Fatigue – A Unit Level Guide.

41. **Certificate of Dispensation - Process**. When NOS are exceeded, the exercise instruction or operation order should include a completed Certificate of Dispensation. This confirms to the unit that it is operating under EOS and sets the limits of control. It is not intended that a certificate would be issued for the whole of an operational tour, but rather, that it is to be issued for a specified operation/phase within that tour of duty. If, unexpectedly, it becomes necessary during an operation or exercise to drive for extended hours, the CO/HoE shall issue a Certificate of Dispensation for that particular driving detail or task. Before signing a Certificate of Dispensation, the CO/HoE should assess the risk and be able to justify the level of risk against the operational or exercise expedient. Clearly, under active operational conditions, Commanders at all levels will need to identify all potential risks for which road transport is but one. The following factors should be taken into account by commanders on operations whilst balancing risk and shall be considered by commanders in all other circumstances when considering the issue of a signed Certificate of Dispensation (these are not listed in any order of importance):

a. Effect of cumulative sleep loss (e.g. if other tasks are undertaken, security duties etc.).

b. Drivers' experience on vehicle type.

c. Availability of supervision on the move (attendants, escorts, vehicle commanders, section commanders or despatch riders).

d. Availability of co-drivers (include opportunity to sleep whilst travelling in vehicle or not).

e. Availability of Admin facilities (self-catering / soup kitchen / full meal stops).

f. Increased risks due to type of loads (dangerous goods / out of gauge).

g. Type and condition of road (motorway, trunk, track lit / unlit).

h. Experience in Theatre of Operation (local traffic conditions).

i. Climatic conditions (effect on driver and vehicle).

j. The requirements for, and effects of, wearing additional equipment such as a combat helmet or body armour.

k. Effect of inter-modal journeys (ferries / rail etc.).

l. Mixing with civilian traffic (duration and whether on congested roads etc.).

42. **Monitoring Driver Activity**. The CO/HoE should ensure that driver activity is closely monitored, as in certain conditions drivers may feel the effects of fatigue due to reduced rest periods more than others. Where a driver is showing signs of fatigue, they should be given additional rest.

OPERATIONAL DRIVERS' HOURS

43. **Application of Drivers' Hours.** In an operational environment the application of Schemes A, B, C or D may be impractical and, as such, a more pragmatic solution for the control of drivers' hours would be necessary. The location and threat level will depict what operating standards will apply and whether there is a requirement for different standards for different areas (inside / outside main operating bases). It is the responsibility of the Force Log Sp Branch to consult with Formation Staff in order to assess the routes, associated risks and operational tempo to determine a safe and practical generic standard of drivers' hours for all British Forces in that theatre. Where possible, Theatre regulations should be aligned with Schemes A, B, C or D, but if this reduces operational effectiveness suitable Operating Standards for the applicable Theatre / Operation should be developed. Advice can be sought from MTSR on the development of alternative standards.

44. **Operational Standards**. It is recognised that there are currently 2 separate conditions under which drivers on operations will find themselves; the first is within the protected area of the operating bases, whilst the second accounts for duty undertaken 'outside the wire' and thus separate standards should be applied as follows:

a. **Normal Operating Standards (NOS) for Ops.** Driving duties undertaken within a protected area such as an operating base should comply with the conditions shown as Normal Operating Standards (NOS) for Ops.

b. **Enhanced Operating Standard (EOS) for Ops.** When vehicles are used outside the operating base or in cases where the operational tempo is such that the application of NOS for Ops is not feasible, Enhanced Operating Standard (EOS) can be applied to enable these specific tasks to be conducted. This should include issuing a Certificate of Dispensation.

45. **Theatre Standing Orders**. Details of the Operational 'Drivers' Hours Regulations' should be published in the BRITFOR SOs applicable to that theatre. Where a formal set of BRITFOR SOs (or equivalent) have not been produced, then details of the Theatre Drivers' Hours should be formally promulgated.

46. **Operational Dispensations**. Due to changes in the tactical situation, it may be necessary for personnel to drive for extended hours or with reduced rest periods. Only the CO/HoE of a unit or his designated officer can assess the risks and issue a Certificate of Dispensation. Theatre Command HQ (Log Sp Branch) should be informed of the extent of the dispensation at the earliest opportunity.

APPENDIX 1 TO ANNEX A TO MTSR DCOP NO 14 - REST REQUIREMENTS FOR PROFESSIONAL DRIVERS SERVING WITH THE RESERVE FORCES OR AS ADULTS INSTRUCTORS IN THE CADET CORPS

1. **Application.** Although the MOD has exemptions from EU drivers' hours, certain individuals working as professional (vocational[1]) civilian drivers and serving in the Reserve Forces, or an instructor in the Cadet Corps[2], are bound by the requirements for rest. In outline EC Regulation 561/2006 limits drivers to a 9hr driving day, requires a 45 min break every 4.5hrs, 11 hrs rest each day and 45hrs consecutive rest each week. The MOD is authorised under the Community Drivers' Hours and Recording Regulations 2012 to grant exemptions from the rest requirements of Regulation 561/2006 to Reserve Force personnel, or those acting as Cadet Force Adult Instructors, who are professional civilian drivers operating in the UK only, whilst participating in military training. The exemption only applies to annual camps of 15 days duration or less and to a maximum of 10 weekend training sessions per training year, provided that these are not conducted over consecutive weekends. The exemption is based on an individual's civilian employment, not their role within the Reserve or Cadet Forces.

2. **Rest Periods.** When undertaking training, the requirement for daily or weekly rest is suspended as follows:

a. **Daily Rest**. The daily rest period of 11 hours must now be taken between the end of training and the start of work for their primary (civilian) employer.

b. **Weekly Rest**. The weekly rest period of 45 hours must be taken no later than at the end of the 6th day following a period of weekend training.

3. **Exemption**. Regulation now grants an exemption to a person subject to the Community Drivers' Hours Regulations, and who is a member of a volunteer Reserve Forces or an instructor in the Cadet Corps, and who is attending an annual camp or a weekend training session within the UK, providing the following conditions are met:

a. The exemption is limited to a maximum of:

(1) Ten weekend training sessions; and

(2) Fifteen days' annual camp training in any training year.

b. The driver must not attend weekend training sessions on any two consecutive weekends.

c. The driver must not attend any annual camp training that takes place over the weekend that immediately follows a weekend training session that the driver has attended.

d. The driver must not attend a weekend training session on the weekend that immediately follows any annual camp training that the driver has attended.

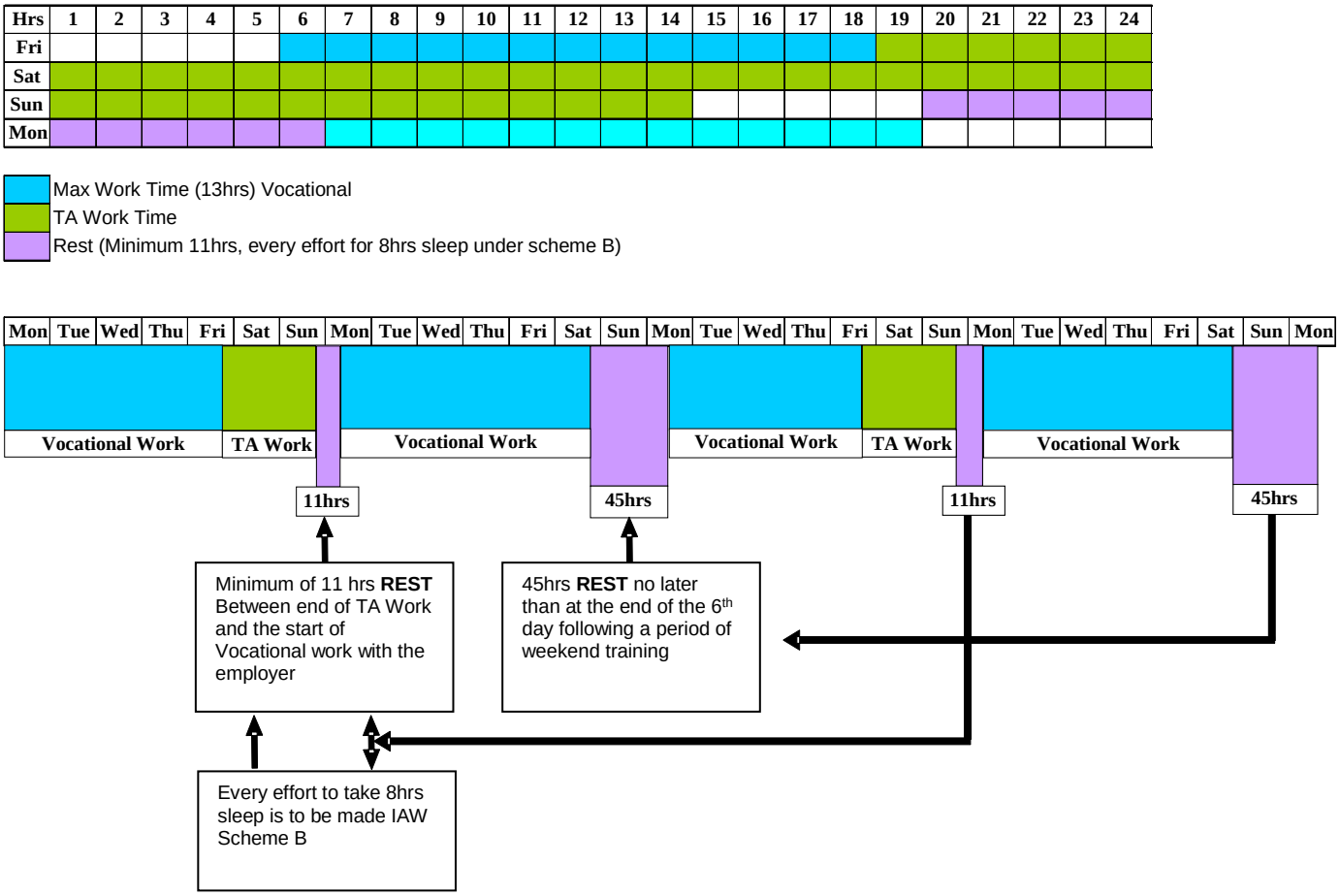
e. The driver must not attend any annual camp training that takes place over the weekend that immediately follows the end of an earlier period of annual camp training that the driver has attended.

[1] A professional (vocational driver) is deemed to be any individual who drives civilian vehicles for a living and is required by law to record the hours they work/rest.
[2] Cadet Corps means: the Combined Cadet Corps; the Sea Cadet Corps; the Army Cadet Force; the Air Training Corps.

f. A regular daily rest period of at least eleven hours must be taken immediately following the end of each weekend training session and at the end of each period of annual camp training.

g. A regular weekly rest period of at least forty-five hours must be taken no later than the end of the sixth day following the end of the day on which a weekend training session or, as the case may be, a period of annual camp training ends.

Figure 1: Weekend Training



DfT EXEMPTION REVIEW

4. As part of this exemption, there is a requirement for DfT to conduct a review of Regulation 3 of Community Drivers' Hours and Recording Regulations 2012 every 5 years. It is therefore necessary for each TLBs making use of this exemption to collate data and provide the Regulator with details of how this exemption has been applied during that period. To that end a TLB should maintain a record of the number of times it has been applied and whether it wishes for the exemption to continue. The Regulator is required to forward these details to the Department of Transport (DfT) on a five yearly basis to request continuation of the exemption.

APPENDIX 2 TO ANNEX A TO MTSR DCOP NO 14 - APPLICATION OF THE WORKING TIME REGULATIONS 1998

1. **Application to MOD Personnel.** The Working Time Regulations 1998 (WTR) govern the maximum hours an employee can work. The CO/HoE is responsible for applying the Regulations (including any exemptions where appropriate) on a worldwide basis. Whilst Regular Forces personnel enjoy certain exemptions[1], civilian employees are to comply in full. For members of the Reserve Forces time spent on military duty may not count towards working time of their main employment, subject to the action being carried out in the paragraph below; Reserve Forces personnel undertaking full time regular service are subject to the WTR in the same way as Regular Forces personnel. Where the direction or timings contained within this DCoP conflict with the WTR, advice should be sought from unit / organisation Human Resources (HR) departments.

2. **Working Time Regulations Opt-Out Agreement.** Although civilian staff may choose to 'Opt Out' of the requirement to abide by the WTR, this does not apply to the requirements of any MOD Schemes controlling drivers' hours; details can be obtained from unit / organisation HR departments. For Reserve Forces personnel the CO/HoE needs to be made aware of how many hours of civilian employment an individual has undertaken and consider whether they have exceeded the 48 hour WTR limit. Reservists who believe that they may be exceeding the 48 hour limit, when the hours spent on MOD duties are aggregated together with those spent during civilian employment, are to sign an 'EC Working Time Directive - Opt-Out Agreement for Reserve Forces. This agreement is to be retained in unit lines and re-signed every 4 years.

3. **Secondary Employer.** There remains a requirement for professional drivers to inform their civilian employers of all hours worked for any secondary employer. In this respect, although the MOD is exempt from the requirements of drivers' hours, all Reserve Forces personnel, irrespective of their role within the Reserve, should keep a record of such employment.

4. **Non-Exemptions.** The EU exemption does not apply to a professional civilian driver operating outside of the UK or to someone wishing to attend more than the proscribed Reserve Forces training sessions. In these circumstances, the individual will need to ensure that they have met the 'resting' requirements of Regulation 561/2006 by taking leave from their civilian employer prior to and / or following any Reserve Forces activity.

[1] Full details on the application of the WTR for Service Personnel can be found in 2008DIN01-050.