

RHA



RHA Van Standard

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Introduction

January 2026

The RHA Van Standard is designed to ensure companies operating goods vehicles up to 3.5 tonnes gross vehicle weight (and companies who only carry their own goods in a vehicle of up to 3.5 tonnes and use trailers with an unladen weight of less than 1020 kgs) have appropriate systems and procedures in place to demonstrate compliance with their legal obligations and industry best practice.

Some of the content of the RHA Van Standard is a legal requirement and some is industry best practice, but the standard as a whole reflects what would reasonably be expected of a professional van operator.

The RHA has a range of assistance and information available to help you achieve the standards laid out in this guide. Don't hesitate to contact your RHA Area Manager or the RHA Helpdesk if you have any questions.

Legal Disclaimer

This document is intended for general information and guidance only. It does not constitute legal advice, nor is it a substitute for professional advice tailored to your specific circumstances.

The Road Haulage Association (RHA) makes every effort to ensure the accuracy of the information provided but accepts no liability for any loss, damage, or inconvenience caused as a result of reliance on this document.

Users are advised to seek independent legal or professional advice before acting on any information contained within this document or making decisions that may have legal, regulatory, or operational implications.

The Drivers

1.1 Driving Licences

You must -

- have copy driving licences on file.
- issue written instructions requiring your drivers to notify you of any driving licence issues.
- have a process to check driving licences at least every three months using the DVLA website or an external provider.
- retain suitable records of completed licence checks.
- conduct checks more frequently on higher risk drivers.
- monitor driving licences to ensure timely renewals (including ten-year photograph renewal).

Any person who drives a motor vehicle on a public road must hold the entitlement appropriate to the type of vehicle being driven.

A company instructing and enabling drivers has a legal obligation to ensure their drivers hold and retain the correct driving licence. Failing to ensure your drivers have the appropriate licence is likely to invalidate your fleet insurance allowing your insurers to decline any claims and would trigger action against the company by the authorities.

To demonstrate your compliance with your legal obligations you must -

- Take copies of your drivers' driving licences. You can store hard copies or digital copies, but you must record all the details on the front and back of the card.
- Instruct your drivers to notify you if they have any issues with their licence, such as having points added or if their entitlement changes.
- Have a process to check the ongoing validity of the licence using an external service (you can't just rely on the copy supplied by the driver). The DVLA website allows drivers to view and share licence information by providing a 'check code' or you can check the licences yourself or various external services are available who run the checks on your behalf - but either way you will need the drivers written permission to access their information. You must run a check at least every three months (with more frequent checks on higher risk drivers) and keep records on file to demonstrate the check was completed. If your checks reveal any changes to the licence you need to have a process to investigate the issue, which may mean disciplining your driver.
- Have a process to monitor the renewal dates on the licences (including ten-year photograph renewal dates) and issue reminders to your drivers as your driver failing to renew his licence could result in you having to find an alternative driver at very short notice. You could also be criticised by the authorities for not having an adequate system in place if you are found to have a driver without a valid licence and/or entitlement.

Some of the licence checking services automatically issue alerts concerning upcoming renewals, but you can also just check your copies or list the dates on a spreadsheet or program automatic alerts into a diary application such as Outlook. It's best practice to remind your drivers at least 8 to 6 weeks before expiry so they have time to process their renewal and to issue written reminders as this is both a record that your process is functional and a potential first piece of evidence should you have to discipline the driver for failing to renew on time.

Supporting information

Details on licence categories are available in the RHA Handbook.

The RHA Helpdesk can provide RHA members with a suggested driver responsibilities letter or the RHA Contracts service includes suitable company rules.

1.2 Drivers' CPC Training

If the company has any driver that require a Drivers' CPC, you must -

- **keep copies of Driver Qualification Cards on file.**
- **monitor DCPC qualification to ensure timely renewals.**

Driving a vehicle or combination of vehicles that require a C1, C1E or C driving licence (if the movement isn't exempt) will mean the driver must have a Drivers' CPC qualification to use their vocational licence.

The Driver CPC was introduced on 10th September 2009 to ensure vocational drivers were suitably trained to meet the increasing demands placed on them.

Drivers are required to attend 35 hours of approved training every 5 years to retain their Drivers' CPC and are issued with a Driver Qualification Card to demonstrate they have a valid Driver CPC qualification.

There are limited exemptions concerning the Drivers' CPC requirements, with the most common being -

- Using the vehicle when carrying material or equipment you use for your job (driving the vehicles can't be the main part of your job).

While the driver is responsible for sourcing suitable training to retain his Drivers' CPC qualification, many companies see the advantages of organising and providing Drivers' CPC training for their drivers. Companies who choose to provide Drivers' CPC training can recover some or all of the costs if the driver decides to leave their employment within a specified period as long as they have an agreement in place.

Supporting information

Details about Drivers' CPC exemptions are [here](#).

Details of RHA Drivers' CPC courses are [here](#).

RHA Contracts include a suitable training cost recovery agreement. For further details contact the RHA Compliance team on 01274 863100.

1.3 Drivers, Transport Management & Maintenance Staff Responsibilities

You must issue written instructions to your workforce describing their responsibilities in relation to the company processes.

You are expected to issue written instructions to your workforce outlining their responsibilities with respect to your company processes, such as your defect reporting procedures and driver licence requirements. The instructions might be part of your employment contracts or detailed in a letter but they should be clear and concise enough to act as a reference point should you need to explain your processes to the enforcement authorities. Ensure that copies of instructions issued are retained should you be required to produce them at a later date to the authorities.

Supporting information

RHA Members can access a suggested responsibilities letter from the RHA Helpdesk.

RHA Contracts include suitable role specific clauses.

1.4 Driver Health & Wellbeing

You must -

- **conduct health checks on drivers at least once a year.**
- **carry out eyesight checks at the start of employment and at least every six months thereafter.**
- **ensure drivers who require corrective eyewear wear their glasses or contact lenses when driving a company vehicle.**

It's commendable and good business sense to try to help your drivers stay as fit and healthy as possible and best practice is to carry out regular checks into the health and wellbeing of your drivers. Some companies use external providers to offer medical check-ups or use medical questionnaires to collect details on all aspects of the driver's medical history, but as an alternative, you can also ask the driver if they have any medical issues (or other matters) that they want to tell you about and have them sign if they have nothing to declare. Whatever process you apply you should ensure records are on hand and satisfy yourself that any follow-up action has been completed as necessary.

Before you authorise a driver to drive one of your vehicles you should complete an eyesight check based on the driving licence requirement to read a number plate under normal conditions at a distance of 20 metres and to try to avoid unnecessary difficulties and complications, you should repeat the checks regularly throughout employment. The regular checks may help identify if a driver is developing an eyesight issue and if you are in any doubt you must send the driver to an optician for further investigation and remedial action. If you're unable to easily set up a test using an actual number plate you can use a screen-based tool to simulate the standard test. You should keep records of who was tested when along with the eventual outcome (Please note: It's advisable for all employees to have an eye test conducted by an optometrist every two years, more so for drivers if glasses or contact lenses are used).

You're expected to have records on hand of which drivers require corrective eyewear (listed as code 01 on their driving licence) and have those drivers sign a declaration stating they use their corrective eyewear when driving company vehicles. You should regularly confirm the drivers are using their glasses or lenses (such as when completing gatehouse checks - see 2.5) and ensure suitable records are retained on file.

Supporting information

The RHA Helpdesk can email RHA members a number plate simulator.

The RHA Helpdesk can send RHA members a driver's annual medical declaration form.

1.5 Induction of New Employees

You must -

- **have an induction checklist on hand.**
- **ensure your induction includes training drivers in manoeuvring larger non-car-based vans.**
- **have completed induction checklists on hand for any recently recruited drivers.**

An induction procedure for new employees will ensure they have been instructed in how to fulfil their duties, are aware of the company policies and procedures that apply to their role, have gone through the appropriate training for their role and have been introduced to your people and processes.

As well as delivering an appropriate induction, you must also ensure you have suitable and comprehensive records on hand should anyone question what training the employee has received to enable you to clearly evidence that your drivers have been appropriately and comprehensively trained in the event of an incident and/or accident.

Supporting information

The RHA Helpdesk can send RHA members a guide to inducting new employees.

1.6 Issuing PPE, Uniform and Company Equipment to employees

You must have an effective system in place to record what PPE, uniform and equipment has been issued to employees.

You have a legal obligation to supply your workers with personal protective equipment (PPE) and you will need to issue some workplace equipment to drivers and other members of staff. Many companies also issue uniform to ensure their drivers and staff support the company image.

It is important that you have evidence of what PPE has been issued to your workers.

These records can be used to help defend the organisation against accusations, claims etc, should the worker be found to be not using the equipment at the appropriate time or in the correct manner. Records of this can also be used to deal with disciplinary matters if an employee is not wearing correct PPE issued on company/customer premises which is ordinarily a mandatory, health and safety related work instruction.

Any equipment you issue to your drivers (such as keys or phones) should also be recorded so you can potentially recover the cost of replacements should the equipment be damaged or lost or of the worker leaves your employment without returning company property.

Company uniform is becoming increasingly important in our security conscious times, as it may be taken as legitimising entry to specific sites when the worker has no right to be there. You will need suitable records retained for each employee so you can insist that any items bearing the company details are returned when they reach the end of their useful life or when the employee leaves the company.

Supporting information

The RHA Helpdesk can send RHA members a guide to PPE.

The RHA Contracts service includes suitable recovery clauses concerning training costs.

1.7 Daily Walk-around Check Training

You must train your drivers on how to carry out a daily walk-around check and complete a daily defect report before they first drive a vehicle or when new vehicles are added to the fleet.

Your drivers represent a vital link in your maintenance process and must complete a thorough and effective inspection of their vehicle prior to use. This inspection should be recorded, and any defects (no matter how minor) should be reported to an appropriate manager for consideration of rectification action, which also must be documented.

To ensure your drivers are completing their inspection correctly, you must deliver suitable training and keep evidence on file in case you have to prove the training was delivered.

Supporting information

The DVSA have a guide to van daily defect reporting [here](#) that includes a checklist and an example defect report form.

1.8 Advanced Driver Assistance Systems (ADAS)

You must ensure all drivers (including agency staff) are familiar with any ADAS fitted to your vehicles. Drivers must be instructed to inspect any externally mounted sensors during walk-around checks and be adequately trained to confirm that any ADAS fitted is functioning correctly. You must also have a documented policy on action to be taken if the ADAS system is defective or deactivated and ensure suitable records are retained on file.

You could include suitable training during your induction process, daily walk-around check training or during regular refresher training.

Your policy could be issued to each driver (with suitable signed acknowledgements retained on file) or could be kept on hand in the vehicles.

1.9 Drivers' Hours, Tachograph and Working Time Regulations Training

You must deliver appropriate training on current drivers' hours & Working Time/Road Transport Regulations legislation to your drivers.

Drivers of all vans and commercial vehicles are subject to controls on their activity and are required to keep suitable records.

The rules that apply to your operation depend on the weight of your vans, whether or not your vans draw trailers, whether you are transporting goods for hire & reward and the distances your drivers operate from your site, but you must deliver suitable training in the appropriate rules and issue supporting documentation to your driving staff (with suitable signed acknowledgements retained on file).

Supporting information - EU/assimilated (tachograph) hours

Most vehicles used for the carriage of goods by road and with a maximum permissible weight (including any trailer or semi-trailer) of over 3.5 tonnes is in scope of the EU/assimilated rules, unless covered by an exemption or a UK national derogation.

The EU/assimilated rules includes a range of exemptions and derogations, but the most likely exemption for van operators refers to –

- Vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7.5 tonnes used for carrying materials, equipment or machinery for the driver's use in the course of their work and/or delivering goods produced on a craft basis within a 100 km radius from the base of the undertaking on the condition that driving the vehicle does not constitute the driver's main activity and that the transport is not carried out for hire or reward.
- RHA members can access further guidance on driver hours and tachograph analysis from the RHA Helpdesk or additional information is available [here](#).
- RHA Training can provide training courses on Driver Hours.

Supporting information - Domestic Hours rules

Most vehicles that are exempt from EU/assimilated rules come under GB domestic drivers' hours rules while engaged on domestic journeys (separate domestic rules apply in Northern Ireland).

RHA members can access further guidance on the EU/assimilated rules and exemptions, GB domestic rules and NI domestic rules from the RHA Helpdesk. Details of the EU/assimilated rules and GB domestic rules are listed [here](#) and details of the NI domestic rules are [here](#).

RHA Training can provide training courses on Driver Hours.

Supporting information - Working Time

Drivers using B class licences can opt out of Working Time.

Occasional drivers (who work 10 days or less within scope of the EU drivers' hours rules in a reference period that is shorter than 26 weeks or 15 days or less in a reference period that is 26 weeks or longer) using C1, C1E and C class licences can opt out of Working Time.

RHA members can access further guidance on the application of Working Time and Road Transport Regulations from the RHA Helpdesk.

1.10 Annual Driving Assessments and refresher training

You must conduct regular recorded driving assessments (at least once a year) and deliver appropriate refresher training if necessary.

You must conduct regular driving assessments to ensure your drivers maintain the high standards you expect from your workforce. The assessments must be recorded to ensure you can identify any opportunities for improvement and monitor ongoing performance. The assessments should be conducted at least annually and can be delivered alongside other performance related assessments or personal development reviews and can be delivered by an external contractor or a trained senior driver or manager.

Supporting information

RHA Training offers Light Commercial Vehicle driver assessor courses.

The Vehicles

2.1 Vehicle Registration Document

You must be able to produce a V5C (or copy) showing the correct details for each vehicle in your possession.

To ensure you have full access to the technical information about your vehicles and are able to manage the vehicle going forwards, you must have the V5C (or copy) on file. The V5C should show the correct details for the vehicle alongside the correct name of the vehicle owner.

2.2 MOT Annual Test Certificates

You must be able to evidence each vehicle over three years old in your possession has a valid MOT.

To ensure the vehicle is roadworthy it is a legal requirement to have vehicles under 3500 kgs GVW tested annually once they are three years old (from when first registered with the DVLA).

Vehicles over 3500 kgs GVW must be tested annually (from when first registered with the DVLA).

Using a vehicle without a MOT may be investigated by the police and result in a fine being issued of up to £1,000.

Supporting information

Check vehicle MOT status & obtain test certificate printout [here](#).

2.3 Vehicle Excise Duty (VED)

You must have an effective system to ensure current and correct VED is paid and retain suitable records.

It is illegal to use a vehicle without having paid the applicable Vehicle Excise Duty. The paper tax disc was a certificate of payment and a useful renewal reminder but since the discs were withdrawn you are expected to have an internal system to demonstrate VED has been paid and to prompt you to renew your road tax in a timely manner. You may find it appropriate to access the V149 VED rates table to check you are paying the correct VED and to add VED renewal dates to your maintenance planning system.

You can be fined up to £1,000 for allowing a vehicle to be driven without VED.

Supporting information

The V149 is available [here](#).

Wallchart planners are available from the RHA Shop.

2.4 Drivers Daily Walk-around Check Procedure

You must have a suitable first use walk-around check procedure in place.

To ensure your fleet is roadworthy, it is essential that your drivers complete a walk-around check before they use the vehicle on any given day. The driver has a legal responsibility for the condition of the vehicle they are using on the public highway, so they must generate suitable evidence to show they have thoroughly checked each element of the van (and trailer, if used) and to list any defects. The driver can generate a paper report, but companies are increasingly turning to the added convenience and flexibility of digital reporting.

Supporting information

The DVSA have a guide to van daily defect reporting [here](#).

The RHA Shop has van daily defect report pads on sale.

The RHA app can be used to record van daily defect reporting.

2.5 On-road Defect Reporting Procedure

You must have a suitable procedure for drivers to report on-road defects and have issued instructions to your drivers to ensure they know what to do.

Your driver must be able to record and report any defects he notices during the working day. You must provide the driver with a system to record the details of the defect (so they have evidence on hand in case they are stopped by the enforcement authorities) and a process for them to contact a manager to report the defect for rectification to be arranged. Paper or digital systems are acceptable as long as the required evidence is available and suitable processes are in place. The instructions must be issued in writing and failure to comply should be linked to your disciplinary procedures (with suitable signed acknowledgements retained on file).

Supporting information

The RHA Shop has driver handbooks on sale.

The RHA Contracts of Employment service includes rules on defect reporting and disciplinary procedures. For further details contact the RHA Compliance team on 01274 863100.

2.6 Defect Reporting

You must ensure any defects, found during a daily walk-around check or on-road, are reported to a responsible person with sufficient authority to ensure appropriate timely action is taken, which may include taking the vehicle out of operation.

Your defect reporting process should refer any defects to a person with sufficient authority and knowledge to ensure appropriate timely action is taken. Digital defect reporting systems are particularly useful in this regard, as they allow the driver to provide photographic evidence of the issue and for those images to be seamlessly shared with maintenance providers etc. The person should be able to demonstrate sufficient knowledge and experience to make an informed decision on the roadworthiness of the defective equipment.

Supporting information

The DVSA Categorisation of Defects is [here](#).

RHA Training can offer courses addressing vehicle roadworthiness.

2.7 Defect Rectification

You must have a procedure to record defect rectifications and to monitor your records for underlying issues.

You must keep records of the defect rectifications on your vehicles. The records should be stored in the relevant vehicle file and monitored to ensure you detect and address any underlying issues. Rectification evidence must be attached or cross-referenced to the applicable defect report.

Supporting information

The RHA Shop can supply daily defect report pads that include space for rectification records and dedicated rectification record pads.

The RHA App can be used to store rectification details.

2.8 Driver Defect Inspection Auditing

You must perform and record checks (such as gatehouse audits) to ensure your drivers are performing their vehicle maintenance duties.

While you have trained your drivers and collect regular defect reports, you must also conduct targeted checks on the drivers to ensure they are properly checking their vehicles. Many companies conduct 'gatehouse audits' whereby they stop the driver as they are in the process of leaving the site and conduct a supplementary inspection of the vehicle and the drivers defect paperwork. These checks should be recorded and any discrepancies dealt with via training or your disciplinary process.

Supporting information

A suggested Gatehouse Check form is available for RHA members from the RHA Helpdesk.

2.9 Vehicle servicing and maintenance

You must ensure suitable records are retained on file evidencing your vehicles have been serviced and maintained in accordance with manufacturer guidelines.

You must ensure your vehicles continue to operate as efficiently as possible by arranging to have them serviced and maintained in-line with the manufacturer guidelines.

Recommended best practice is to also arrange preventative maintenance inspections on a regular basis to attempt to identify and address any issues with mechanical condition, operational practices or driver behaviour within a managed and scheduled process.

Ensure suitable records are retained on file and monitored (particularly of any preventative maintenance inspections) to identify any potential procedural enhancements or specific underlying issues.

Drivers can be fined up to £2,500 and get 3 penalty points for using a van in a dangerous condition.

Supporting information

Preventative maintenance inspections can be planned on a time or mileage basis and should aim to ensure the vehicle remains fit and serviceable until at least the next planned inspection.

2.10 Maintenance Planner

You must have an effective maintenance planning system in place.

You must have a forward planning system in place to ensure your vehicles remain roadworthy and no maintenance work is missed or overlooked. The dates should be planned at least six months in advance (digital systems can plan dynamically).

The planning system must include major servicing in line with the manufacturer guidelines and annual test dates but could also include other periodic necessities such as VED renewal, tachograph calibration dates (if fitted) etc along with any planned preventative maintenance inspections.

Using wallcharts, diaries, digital planning systems or spreadsheets are all acceptable methods, but the system should be accessible to anyone involved in planning and routing the vehicles.

Supporting information

Wallchart planners are available from the RHA Shop.

2.11 Tyre Checks & Management

You must -

- have a robust monitoring procedure in place to ensure no tyres used are more than 10 years old.
- ensure drivers are properly trained to recognise and report tyre issues.
- ensure any tyres kept on site are properly stored in a cool, dry and moderately ventilated environment away from possible contact with oil or hydrocarbon solvents or lubricants.

Tyres can become brittle with age and use and so it's important to ensure any tyres on your fleet are replaced before they are at increased risk of failing. While your drivers should be checking tyre condition as part of their walk-around check (see 2.4), you may find it useful to have regular supplementary checks by a member of management, your maintenance team or a tyre company.

All drivers and staff dealing with tyre checks and management should be properly trained to recognise and report tyre issues.

If you are storing any tyres on site, these also need to be considered for age related issues and should be stored in line with industry guidance.

Supporting information

Guidance from the Tyre Industry Federation is available [here](#).

Information to issue to your drivers concerning tyre issues is available for RHA members from the RHA Helpdesk.

2.12 Wheel Security Following Removal/Replacement

You must ensure you have a procedure to ensure wheel nuts are retorqued following replacement.

It is vitally important that wheel nuts are retorqued following removal or replacement and that suitable records are generated and stored on file. Your maintenance provider or tyre company may ensure the retorquing has been completed before the vehicle is returned to you or they may provide the driver with instructions concerning the retorquing, but you must ensure you have suitable evidence to hand as in the event of wheel loss you may need to defend your procedures against the enforcement authorities.

Supporting information

Industry guidance is available [here](#).

Fleet Management

3.1 Transport Management

You must –

- have suitable arrangements in place to ensure transport activities are appropriately managed and controlled.
- have details of the loading capacities of your vehicles on hand, including axle weights.

To ensure compliance with the legal requirements and promote efficient use of your fleet it's important that you have suitable arrangements to appropriately manage your activities, such as having suitable staffing levels. While it isn't a legal requirement, many operations benefit from using modern digital systems or routing software tools, but all operators should ensure they have details concerning their vehicle loading capacities (including axle weights) to hand.

3.2 Transport Manager and Traffic Office staff training

You must ensure anyone managing drivers or vehicles attends suitable training and effective ongoing refresher training to ensure their knowledge & skills remain current and relevant.

Anyone managing your vehicles and drivers should have sufficient knowledge to understand the rules and regulations applicable to your operation and will need to have attended relevant training within the last five years to ensure their knowledge and skills are current.

Supporting information

Suitable courses for your managers and traffic office staff are available from RHA Training.

3.3 Other employees training

You must ensure your other employees, such as forklift truck drivers or administrative staff, undergo effective refresher training to ensure their knowledge & skills remain current and relevant.

It is in your interests as a responsible employer to ensure the skills of your workforce remain current and investing in suitable training for your staff is good management. Best practice is to collect the details of your employee qualifications and training courses and monitor the details to ensure any renewals or refresher training is processed in a timely manner.

Supporting information

Suitable courses for your employees are available from RHA Training.

3.4 Company Instructions to Driver Agencies

You must submit clear written instructions to any driver agency you use, giving full details of your requirements in respect of the agency services including establishing whether the IR35 off-payroll working rules apply.

Many operators use driving agencies to ensure they have sufficient staff available. It is in your interests to ensure the workers the agency provide are suitable for your operation and have the necessary qualifications, training and skills you require.

The IR35 off-payroll rules were introduced in April 2021 and determine who is responsible for deducting PAYE (Pay As You Earn) and NICs (National Insurance Contributions) for contractors engaged via an intermediary/agency.

Best practice is to engage with your agency to discuss your needs and confirm your requirements in writing as well as obtaining confirmation in writing on who is responsible for the relevant deductions.

Supporting information

Member companies of the Recruitment & Employment Confederation have agreed to comply with a Code of Practice (as [here](#)) that outlines the service standards you should expect from your agency.

Further details concerning IR35 are [here](#) or are available from the RHA Helpdesk for RHA members.

3.5 Agency Staff

You must induct agency staff and keep suitable records on file.

Any agency staff you use are representing you when they are driving your vehicles and delivering to your customers. It is in your interests to ensure they uphold the same standards you expect from your directly employed drivers. You should ensure any agency workers are properly inducted (with suitable records retained on file) including collecting suitable evidence of their qualifications and relevant training. If the agency worker isn't able to provide you with the information or details you require then they should not be engaged, and you should investigate the issue with the agency.

Supporting information

The RHA Helpdesk can provide RHA members with information concerning staff induction.

3.6 Noise and Visual Intrusion

You must take action to reduce the impact of noise and visual intrusion in the vicinity of your operational site.

It is in your interests to try to minimise the impact of your operation on your neighbours and particularly on any residential properties as any complaints may force the authorities to impose restrictions on your movements. Ensuring sufficient parking space, managing access and limiting the visibility of your operational areas can also be useful element of your site security.

3.7 Complaints and Representations

You must have a procedure for dealing with complaints or representations concerning the use of the company site or vehicles or to address any reported driver behaviour issues. You must retain details of any received complaints or representations, along with evidence of your investigation and any subsequent actions.

It is important that you investigate any received complaints, that you respond to the complainant, and that you keep accurate records of how you dealt with the incident as this will all be useful evidence should the complaint also be lodged with the authorities or with your customers. To ensure the accuracy of your records it is very useful to have a written process on hand for reference purposes.

Supporting information

The RHA Helpdesk can provide RHA members with a suitable complaints procedure.

3.8 Motor Insurance

You must be able to produce a valid motor insurance certificate (MIC) that is appropriate to your operation.

It is a legal requirement to hold valid motor insurance. You should ensure the policy is suitable for your operation, for instance, allowing you to offer hire & reward services or permitting you to operate outside the UK, if appropriate.

You can get an unlimited fine and 6 to 8 penalty points for driving without insurance.

Supporting information

RHA Insurance can provide operators with suitable insurance.

3.9 Public Liability Insurance

You must hold public liability insurance offering an adequate level of cover.

It is recommended any Public Liability insurance should offer an indemnity limit of at least £5 million.

Supporting information

RHA Insurance can provide operators with suitable insurance.

3.10 Employers' Liability Insurance Certificate

You must have valid employers' liability insurance in place and have the certificate on prominent display showing cover of at least the legal minimum level of £5m.

It is a legal requirement to hold valid Employers Liability insurance and to have a copy of the certificate on display in a prominent position in the workplace or issue individual copies to your workforce.

Supporting information

RHA Insurance can provide operators with suitable insurance.

3.11 Goods in Transit Insurance

You must have valid Goods in Transit Insurance in place if you offer 'hire & reward' services.

It is recommended you have Goods in Transit insurance in place that is suitable for the nature of the goods you transport.

Supporting information

RHA Insurance can provide operators with suitable insurance.

3.12 Conditions of Carriage

You must have clear evidence of effective incorporation of your Conditions of Carriage (such as the RHA Conditions of Carriage) into all your contracts if you offer hire & reward services.

N.B. RHA Conditions of Carriage are copyright and can only be used by members.

N.B. The terms of your Goods in Transit insurance may require incorporation of suitable Conditions.

The RHA Conditions of Carriage define the legalities of your relationship with your customer, detail the necessary processes concerning the movement and delivery of the goods and set limits on your financial liabilities. To ensure you can benefit from the protection of the RHA Conditions of Carriage you need to incorporate the Conditions into your contract with your customer by explicitly referencing the application of the RHA Conditions on any quotes or other documentation provided to the customer at the outset of your contractual relationship with that customer. Unless the customer is made aware at the time of agreement to contract that the RHA Conditions are to apply, then the RHA Conditions will not be applicable to that contract. You should also make a copy of the RHA Conditions available to the customer to review and at least annually reissue a copy for your customer to examine.

Supporting information

The RHA Helpdesk can provide RHA members with a bespoke copy of the Conditions of Carriage along with information about ensuring the company benefit from the full range of protection on offer.

Operational processes

4.1 Safe Loading

You must have effective procedures in place designed to prevent vehicle overloading and safe and secure loading of cargo, including –

- ensure your drivers are adequately trained on loading the vehicle safely.
- the issuing the drivers with suitable guidance.
- having formal assessments in place covering load risks and load security.
- having evidence that drivers and managers are empowered to refuse loads they consider unsafe to transport.

An insecure load can have a sudden and devastating effect on the stability of your vehicle and the legality of your operation. Your drivers have a legal duty to ensure their vehicle is safe and you have a duty of care to ensure your managers and drivers are adequately trained and equipped to understand how to safely distribute the load on the vehicle and safely secure the load while in transit.

Supporting information

RHA Training can deliver suitable training to your managers and drivers.

The RHA Drivers Handbook lists suitable guidance for your drivers and is available from the RHA Shop.

Industry guidance to issue to your drivers is available [here](#).

4.2 Safe Towing

If applicable you must –

- have effective procedures in place to promote safe towing.
- ensure your drivers are suitably trained.
- have a record of the towing capacities of your vehicles on hand.

If your vehicles are equipped to transport trailers and you have trailers available then you must ensure your equipment is designed to ensure your towing operations are conducted safely, your drivers are suitably trained and that your managers have details on hand concerning the towing capability of your vehicles.

Supporting information

RHA Training can deliver suitable training to your managers and drivers.

The RHA Drivers Handbook lists suitable guidance for your drivers and is available from the RHA Shop.

Industry guidance on towing a trailer with a van is [here](#).

4.3 Mobile phones and other in-cab devices

You must issue a policy on the use of mobile phones and other in-cab equipment such as sat-navs, smartwatches and personal phones.

It is illegal to use handheld devices whilst in control of a motor vehicle. This covers mobile phones, handheld means of satellite navigation, tablets or any other device that can send or receive data. This applies even if you or your driver is stopped at traffic lights, queuing in traffic, supervising a learner driver, driving a vehicle with stop/start technology and holding (and using) a device that is offline or in flight mode.

You must issue a company policy to your drivers and to instruct your managers to restrict calls to drivers they believe are driving. The company should ensure any in-cab equipment is fit for purpose and warn drivers of the consequences of ignoring the regulations, including the possibly of dismissal for gross misconduct.

Supporting information

The RHA Drivers Handbook lists suitable guidance for your drivers and is available from the RHA shop.

A suggested Mobile Device policy is available for RHA members from the RHA Helpdesk.

The RHA Contracts service links mobile device abuse and your disciplinary procedures. Further details are available from the RHA Compliance Team.

4.4 Vulnerable Road Users

You must issue a Vulnerable Road User policy and guidance on the Hierarchy of Road Users designed to reduce risks to pedestrians, cyclists, motorcyclists, highway workers and horse riders.

All goods vehicles represent a potential problem to other road users. Professional drivers in goods vehicles can help set appropriate standards and demonstrate best practice to other vehicle drivers.

Supporting information

The Highway Code includes information on vulnerable road users and the Hierarchy of Road Users.

The RHA guidance on Vulnerable Road Users and the Hierarchy of Road Users is available for RHA members from the RHA Helpdesk.

4.5 Driver Behaviour

You must have procedures in place to encourage driving best practice.

All responsible vehicle operators should encourage driving best practice. This may require a level of monitoring the behaviour of your drivers by using in-cab cameras, vehicle tracking devices, onboard monitoring software/systems, regular performance reviews or customer feedback or encouraging drivers to come forward at meetings or forums, but the focus should be on promoting best practice and addressing any problems before they become an issue.

4.6 Driving Offences and Speeding

You must take action to minimise driving offences and speeding.

You should ensure your drivers workload is organised in such a way to minimise driving offences and speeding but you also need to issue instructions and information to your drivers (with suitable records retained on file) and have policies in place to address any reported occurrences.

Supporting information

The RHA Drivers Handbook lists suitable guidance for your drivers and is available from the RHA Shop.

The Highway Code is widely available from bookshops or as an app.

The RHA Contracts service links mobile device abuse and your disciplinary procedures. Further details are available from the RHA Compliance Team.

4.7 Parking & waiting restrictions

You must –

- instruct drivers how to identify parking and waiting restrictions and instruct them to observe any legal requirements when loading and unloading.
- ensure drivers are made aware if delivery and/or collection points have specific parking, waiting, loading or unloading requirements.
- instruct drivers of what actions to take if valid parking/waiting is not available.

Supporting information

The Highway Code includes details on parking and waiting restrictions.

4.8 Vehicle Security

You must issue guidance to drivers regarding securing vehicles so they cannot be used by someone without permission.

Drivers must be made aware of potential security issues and should visually check their vehicle at the beginning and end of their journey and whenever they leave or return to their vehicle for any signs that something has been concealed or the vehicle has been tampered with.

Supporting information

Issue suitable guidance to drivers, such as the 'Security tips for goods vehicle drivers' list from the DfT 'Countering vehicle as a weapon: best practice guidance for goods vehicle operators and drivers' (as per [here](#)).

Contracts of Employment

5.1 Terms and Conditions of Employment - Legal Requirements

You must issue a written statement of terms and conditions to all workers and employees before or on the first day of employment that includes details concerning –

- Employees and employer's name, place of work, job title, start date, pay rate, pay date, hours of work, holiday entitlement and pay, sick pay arrangements, notice periods, information about discipline and grievance arrangements and pensions, the hours and days of the week the employee is required to work including whether they may be varied and how, the end date of a fixed term contract, entitlements to any paid leave*, any other benefits* not covered elsewhere in the written statement, details of any probationary period and details of training provided by the employer.

*Please note, paid leave or other benefits will include statutory 'family friendly' policies such as Bereavement Leave, Maternity Leave, Shared Parental Leave, Time off for Dependents, Parental Leave, Adoption Leave, Flexible Working, Parental Bereavement Leave, Paternity Leave (as updated April 2024), Flexible Working (as updated April 2024), Carers Leave (since April 2024) and Neonatal Leave (since April 2025).

The Employment Rights Act 1998 included the requirement to issue a written set of terms and conditions and the law changed in April 2020 to include new elements in the written set of terms and conditions and requiring the information to be issued to workers and employees before or on the first day of employment. It is recommended the issuing of the contract and terms of employment is included as part of the induction checklist.

Supporting information

The RHA Contracts of Employment Service can provide a suitable bespoke document covering the legal requirements. Further details are available from the RHA Compliance team on 01274 863100.

Information concerning employment, including templates of a suitable written statement, is available from ACAS.

5.2 Discipline and Grievance

You must issue a written discipline and grievance procedure that complies with the ACAS Code of Practice.

The ACAS Code of Practice is the official guidance concerning discipline and grievance. Failing to comply with the guidance may render your procedures unlawful and could result in hampering the company defence against a tribunal claim.

Supporting information

The RHA Contracts of Employment Service can provide a suitable bespoke document covering the legal requirements.

Information from ACAS concerning Discipline and Grievance is [here](#).

5.3 Additional Employment Policies

You must issue policies and procedures in respect of:

- **Drugs & Alcohol (including abuse of prescription drugs), Mobile Phones, Email & Internet Use, Use of Social Networking Sites, Redundancy and Lay-off.**

As a responsible employer, it is in your interests to issue policies and procedures addressing the issues that may affect your workforce and impact on your business activities (to avoid a 'breach of contract' claim in the event the wording is not followed, policies are not recommended to be included in the Contract of Employment or should be expressly labelled as not contractual).

Supporting information

The RHA Contracts of Employment Service can provide a suitable bespoke document covering the legal requirements.

5.4 Employment Procedures Records

You must retain suitable records of when your employment documents have been issued.

When issuing your employment policies and procedures it is important that you retain suitable records so you can demonstrate your workforce had been issued with the necessary paperwork at the appropriate time.

Supporting information

The RHA Contracts of Employment Service includes the necessary instructions and supporting documents concerning issuing the paperwork.

Health & Safety

6.1 Health and Safety Policy

You must have a suitable written health and safety policy in place.

It is a legal requirement to have a policy in place setting out your general approach to health and safety. While the legal requirement for a written policy only applies to companies with five or more employees, it is useful for an organisation of any size to have a written statement on hand.

Supporting information

The HSE guidance on writing a health and safety policy is [here](#).

The RHA Health and Safety service can help you prepare risk assessments and a written policy. Further details are available from the RHA Compliance team on 01274 863100.

6.2 Health & Safety Competent Person

You must have a nominated 'competent person' (as per regulation 7 of Management of Health & Safety at Work regulations 1999) with sufficient training and experience or knowledge to assist regarding Health & Safety.

It's a legal requirement to appoint a competent person to help manage your health & safety. The person can be an employee or an external contractor, but they should be someone who has the necessary skills, experience and knowledge.

Supporting information

The HSE guidance on appointing a competent person is [here](#).

The HSE guidance on managing your health and safety is [here](#).

The RHA Health and Safety service can help you prepare risk assessments and a written policy.

6.3 HSE Poster

You must have a properly completed health and safety poster on display in the workplace or issue the equivalent information to all workers.

It is a legal requirement to display the approved health and safety law poster in the workplace or to issue the equivalent information to all workers.

Supporting information

The HSE guidance on displaying the poster or issuing equivalent information is [here](#).

The RHA Shop can supply the HSE poster.

6.4 Health & Safety Monitoring

You must have a reporting procedure in place to monitor and investigate minor collisions, near misses and similar incidents.

An important element of your health & safety procedures is encouraging staff and visitors to come forward to report any issues such as minor collisions or near misses. This approach should allow you to introduce sufficient measures to prevent a more serious incident. You should communicate your policy through your employment paperwork or workplace signage.

Supporting information

The RHA Contracts of Employment service includes company rules and policies on health and safety and reporting near misses etc.

6.5 Risk Assessments

You must have current Health & Safety risk assessments in place.

It is a legal requirement to conduct risk assessments of your activities to ensure you have suitable control measures in place to reduce or eliminate risk. Risk assessments should consider all aspects of your workplace and work activities, including driving and unintentional visitors. Companies that employ five or more people must record their significant findings, but it's best practice for all employers to keep written records concerning health & safety. Any risk assessment more than 12 months old should have been reviewed or updated.

Supporting information

The HSE guidance on risk assessments is [here](#).

The RHA Health & Safety service can help you prepare risk assessments and a written policy.

6.6 PUWER/LOLER Certificates

You must, if applicable, have conducted suitable PUWER and/or LOLER inspections on any work or lifting equipment in your possession (such as forklift trucks or tail lifts).

It is a legal requirement to have your work and lifting equipment inspected on a regular basis. The type and use of the equipment will determine the inspection schedule, but inspection intervals are unlikely to exceed 12 months and are often conducted by agents of your insurers. You should have suitable records on hand concerning the inspections.

Supporting information

The HSE guidance on PUWER is [here](#).

The HSE guidance on LOLER is [here](#).

6.7 Dangerous Goods

You must have appointed a Dangerous Goods Safety Advisor (DGSA) if you handle dangerous (ADR) goods.

Movements involving hazardous goods (unless they come under the limited quantities rules) require the involvement of a Dangerous Goods Safety Advisor (DGSA) to ensure the paperwork is correct and the necessary rules and regulations are properly administered. You should have details of your DGSA to hand.

Supporting information

Information on dangerous goods is available [here](#).

Working Time

7.1 Road Transport Directive Information and Agreements

If applicable, you must issue your mobile workers with information concerning the Road Transport Regulations along with copies of any relevant agreements.

If you have drivers using tachographs then they are likely to be classified as mobile workers under the Road Transport Directive and must be issued with information concerning the regulations along with a copies of any relevant agreements.

Supporting information

The RHA Drivers Handbook lists suitable guidance for your drivers and is available from the RHA Shop.

RHA members can access information about the Road Transport Directive from the RHA Helpdesk.

7.2 Working Time Directive Opt-out

If applicable, you must have copies on hand of any opt-outs that have been signed by any non-mobile workers who may exceed the average 48-hour Working Time limit.

The Working Time Directive applies to all non-mobile workers (including drivers who do not require to use a tachograph) and sets an average working week of 48 hours. If appropriate, non-mobile workers are able to opt-out of the 48-hour limit but the company are required to keep a copy of their signed written declaration on file.

Supporting information

RHA members can access information and guidance concerning the Working Time Directive from the RHA Helpdesk, along with the wording for an opt-out agreement.

7.3 Night Workers

If applicable, you must offer health assessments for night workers and keep records on file.

You are legally required to offer a written health assessment to anyone who does any work between 2300 and 0600 (although this may vary by agreement). The contents of the health assessment is set out in the regulations, and while the worker isn't obliged to complete it, you must keep records on hand and take action if the worker reports any issues.

Supporting information

A night worker health assessment form is available for RHA members from the RHA Helpdesk.

7.4 Working Time Records

If applicable, you must -

- have records to hand demonstrating employee compliance with the WTR and/or RTR.
- ensure statutory absences are analysed as 8 hours per day or 48 hours per week.
- hold the records for two years from the end of any reference period.
- be able to provide copies of the relevant records to employees or enforcement officers.

If you have mobile workers or workers who haven't opted out of the Working Time Directive, then you must generate suitable records to demonstrate the worker isn't exceeding the 48-hour average working week. Your employees can ask for details of their current Working Time average and the authorities can request copies of your records for up to two years after the end of a reference period, so you must have arrangements in place to provide the necessary details.

Supporting information

RHA members can access information concerning the Working Time Directive from the RHA Helpdesk.

WWWDomestic Hours (if applicable - see 1.9)

8.1 Domestic driver hours

You must -

- ensure your drivers do not exceed the daily driving limit.
- ensure your drivers do not exceed the daily duty limit.
- ensure your drivers have adequate rest.*

Supporting information (please note - different rules apply in Northern Ireland).

Under GB domestic hours -

The daily driving limit is 10 hours.

The daily duty limit is 11 hours.

A day is the 24-hour period beginning with the start of duty time.

*The GB domestic hours rules make no specific provision for rest periods or breaks, but adequate rest is defined as being long and continuous enough to ensure that a driver does not harm themselves, fellow workers or others and that they do not damage their health in the long or short term. Taking "adequate rest" means a driver's personal circumstances need be considered when scheduling duty and driving periods.

Further information concerning the GB domestic hours is [here](#).

8.2 Domestic Hours records

Unless exempt from record keeping, you must -

- ensure your drivers keep written records of their hours of work on a weekly record sheet or an approved sealed tachograph.
- check and sign each weekly record sheet.

Supporting information (please note - different rules apply in Northern Ireland).

No records are required under GB domestic rules if on this day –
the driver does not drive a vehicle that is in scope of operator licensing.
the vehicle is in the scope of operator licensing, but the driver drives for less than four hours and within a 50 kms radius of the operating centre.
The company may still choose to instruct drivers to generate records for management purposes.

Tachographs (if applicable - see 1.9)

9.1 Tachograph calibration

You must plan your tachograph calibrations (analogue bi-annual checks and six yearly calibrations - digital tachograph two-yearly calibrations).

Your tachograph equipment has to be calibrated on a two and/or six yearly schedule. You should have details of the calibration dates to hand to ensure they are completed in a timely manner (such as adding the dates to your maintenance planner).

9.2 Analogue tachograph charts (if applicable)

You must -

- assign responsibility for ordering and issuing analogue charts to a designated person.
- have a chart return procedure in place, taking into consideration the requirement to produce at the roadside charts and legally required manual records for the current day and the previous 28 calendar days.
- have a competent person carry out a visual check of all collected charts.
- store your charts in date order under vehicle registration or driver name for the required period (12 months for Drivers Hours purposes, 24 months for WTD, 7 years for wages).

To ensure your drivers are always able to access the necessary charts, you should allocate the responsibility to a designated person for ensuring sufficient stock is available and the correct charts are issued.

To ensure you analyse a complete record of the driver's activity you must have a stated chart return procedure in place. As the driver is required to retain their records for 28 calendar days, you may find it useful to collect copies of the used charts on a daily or weekly basis.

A competent person must visually check your analogue charts. The person should be familiar with the analogue chart requirements and be able to raise any issues with the appropriate driver.

It is necessary to store the charts in date order and to be able to access the necessary records when required. Charts stored for working time or wages should be stored away from the driver's hours records.

Supporting information

Information on analogue chart requirements is [here](#).

Further guidance is available to RHA members from the RHA Helpdesk.

9.3 Driver Digital Tachograph Card/s

You must -

- issue drivers with information about what to do with regards to lost, stolen or defective cards.
- you must manage drivers' digital cards and issue reminders concerning upcoming renewal dates.

You must issue instructions to ensure your drivers take the necessary steps to continue driving if they lose their digital card or it is stolen.

To ensure your drivers aren't restricted from driving as they are without their digital card, you should collect the details and monitor the renewal dates. It is industry best practice to issue written reminders to ensure your driver is encouraged to process their renewal in a timely manner.

Supporting information

Further information on the steps to take concerning lost or stolen cards is available to RHA members from the RHA Helpdesk or from [here](#).

The RHA Drivers Handbook lists the necessary information and is available from the RHA Shop.

The RHA Analysis system can automatically generate a report concerning card renewal dates.

9.4 Company Digital Tachograph Card/s

You must have a specified person who is responsible for the company card/s and monitor the card/s renewal date.

The company card controls access to your fleet records and should be carefully stored and monitored. You should ensure the card is secured when it isn't being used and the expiry date is monitored to ensure a timely renewal.

9.5 Ordering Digital Tachograph Printer Rolls

You must ensure drivers always have at least two spare printer rolls on hand.

Drivers are legally required to always have a spare printer roll in the vehicle. If the driver is required to generate a printout and then inserts their spare roll this would result in a penalty being issued by the roadside enforcement officer, so you must have a procedure to ensure drivers always have at least two spare printer rolls in the cab and that you have sufficient stock on hand at the office to issue replacements.

Supporting information

Printer rolls are available from the RHA Shop.

9.6 Digital/Smart Tachograph Manual Records

You must have a stated policy and procedure in place regarding the collection and storage of manual records produced by drivers using digital/smart tachographs.

Any manual tachograph record generated by your drivers has to be retained by them for 28 days (56 days if operating internationally) and then processed into your analysis system and eventually stored alongside your digital records.

Supporting information

Many operators instruct drivers to generate two printouts and hand in one immediately while retaining the other for 28/56 days.

9.7 Digital/Smart Tachograph Download and Storage

You must have a system in place to download and store data from the Driver's Cards at least every 28 days and from the Vehicle Units at least every 90 days.

It is a legal requirement to download and store the data from your digital tachograph system so you are able to hand over a copy if requested by an enforcement officer. The driver card data must be downloaded at least every 28 days and the vehicle units at least every 90 days, but it is industry best practice to download the data more frequently to ensure you capture all the necessary information (such as downloading the VU and Driver Card every week and analysing the data and following up any issues with the affected driver the following week – see also 9.9).

Supporting information

You could add downloading to your maintenance planning process.

The RHA Analysis dashboard will alert you concerning your downloads, further details are available [here](#).

9.8 Driver Absences

You must have an effective system in place to ensure drivers are recording all Driving, Breaks, Other Work, POA and absences such as Annual Leave or Sickness etc.

Drivers working under the EU/assimilated hours rules are legally obliged to record all Driving, Breaks, Other Work, POA and absences such as Annual Leave or Sickness etc so they're always able to produce a 28-day continuous record of all periods of work, rest and any absences if requested by an enforcement officer.

Supporting information

Drivers are legally obliged to record all Driving, Breaks, Other Work, POA and absences such as Annual Leave or Sickness etc. Recording can only be on a digital tachograph, analogue tachograph or a printout from the tachograph with the driver's details printed on the front for any weeks the driver records driving under the EU rules; full weeks when no driving under EU rules has been undertaken can be recorded as previously described or via a Letter of Attestation. At all times, drivers must be able to produce a 28-day continuous record of all periods of work, rest and any absences if requested by an enforcement officer.

9.9 Drivers Hours Analysis

You must analyse your driver's hours records to ensure compliance with the driver's hours regulations. You must –

- regularly process your reports.
- compare your Driver Card and Vehicle Unit downloads to identify any missing mileage/unassigned driving.
- interview, inform, train or discipline drivers if any infringements are identified.
- account for any absences.

It is necessary to analyse your drivers' hours records to ensure compliance with the applicable rules and regulations. You can conduct the analysis yourself or you can appoint an external provider, but you need to have clear records to hand and take action if you identify any infringements.

Supporting information

RHA members can access further information on driver hours and tachograph analysis from the RHA Helpdesk or from [here](#).

The RHA Analysis system provides a service that addresses all the requirements. Further information is available [here](#).



About the RHA

I The RHA is the leading trade association representing over 8,500 road haulage and coach companies across the UK, 85% of whom are small and medium-sized enterprises (SMEs). Our members are operators of vehicles who, between them, operate around 250,000 HGVs (half of the UK fleet) out of 10,000 operating centres and range from a single-truck company to those with thousands of vehicles. The UK road haulage sector is responsible for 81% of all freight movements and is directly involved in the transportation of 98% of agricultural products.

To find out more, please click here: www.rha.uk.net

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