

UK Transport Safety: Who is Responsible?

Construction logistics and cyclist safety (CLOCS) submission of evidence

Introduction

Between 2008 and 2013, 55 per cent of cyclist fatalities in London involved a heavy goods vehicle. A disproportionate number of these were construction vehicles. In 2012 Transport for London commissioned an independent review of the construction sector's transport activities to understand the causes of these collisions and how they might be prevented. The resulting '[Construction Logistics and Cyclist Safety](#)' (CLOCS) report was published in February 2013 by Transport Research Laboratory (TRL).

The CLOCS programme has brought together vehicle manufacturers, construction clients, fleet operators, regulatory and enforcement bodies and road safety charities to address the findings and recommendations made in the CLOCS report.

Working groups were established in July 2013 to take the CLOCS research recommendations forward through three key work streams:

- **Work stream 1: Improving vehicle safety** through design and manufacture of safer new vehicles and retrofitting of appropriate equipment to existing vehicles.
- **Work stream 2: Addressing the safety imbalance** ensuring road safety is considered as important as workplace site safety
- **Work stream 3: Encouraging wider adoption of best practice** across the construction logistics industry through adopting best in class examples, developing a common set of national standards for the industry and working to create a new 'cultural norm'

CLOCS is an industry led programme which aims to fundamentally change the way the construction industry manages work related road safety, especially in relation to vulnerable road users: cyclists, pedestrians and motorcyclists.

Whilst CLOCS is predominantly focussed on the construction sector, the findings and evidence regarding responsibility of transport safety can largely be considered of relevance across the transport industry as a whole.

Summary of key evidence

- Regulatory leadership and general ownership is lacking in the area of work related road risk compared to highly regulated workplace health & safety
- There is a considerable lack of data on work related road incidents and near-misses
- There is a lack of awareness around work related road risk and a need for promotion and education
- The construction industry is taking the lead on a voluntary basis. CLOCS is providing the tools to assist organisations in achieving a culture shift with regard to work related road safety. A stronger Government or regulatory input would add impetus to this culture shift
- Further research is vital in providing a robust evidence base in order that changes can be effectively communicated, encouraged and taken seriously

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Leadership, responsibility and coordination

CLOCS recognises that there are regulations in place across the freight and logistics sector in relation to vehicle conditions and fleet operations. There is also clear legislative control addressing the use and condition of vehicles on the road and driver behaviour including the Road Traffic Act, Construction and Use regulations and vehicle and operator licensing. CLOCS recognises the role of regulators and enforcers including the Police, DVSA and the Traffic Commissioners and is also involved in discussion with the relevant stakeholders in respect of vehicle weights and dimensions legislation. However the project feels that whilst there is leadership evident in the London area, from the Commissioner of Transport for London and the Mayor of London, such leadership, specifically for roads and transport safety, is not always as evident for the remainder of the UK.

This document will identify how CLOCS has addressed a difficult road safety issue through a co-ordinated response from key people within the construction sector together with partners from regulatory authorities, trade associations and road safety groups.

Regarding leadership and responsibility, the Construction Logistics and Cyclist Safety (CLOCS) report (Helman, Delmonte & Stannard) found that:

- **Road risk is viewed as less important than general health and safety risk**

The construction industry does not appear to be immune to the wider neglect of work related road risk seen even in those organisations that represent good practice (see Helman, Buttress & Hutchins, 2012); at the operational level the construction industry does not ascribe road risk the same level of importance as general health and safety risks when selecting who to work with, and when managing safety performance. Therefore, changes to general work-related road safety practice have the potential to have a large impact on safety.
- **There is a lack of ownership of road risk by clients and principal contractors in the construction industry**

There is limited ownership of road risk within the construction industry by clients and principal contractors. This stands in contrast to the ownership of health and safety risk on site. Based on the interview data, it is clear that the principal contractor tends to take responsibility for the health and safety of all workers on the site, but once a driver leaves the site, principal contractors commonly report that the driver's safety is no longer their responsibility. This highlights the disparity and imbalance between health & safety culture within the workplace versus health and safety on the roads.
- **Data on collisions and near misses on the road are not generally collected on construction projects**

Statistics relating to on-road collisions are usually excluded from an organisation's overall safety statistics. These are often inspected during contractor procurement, but the key concern is on-site collisions. Driver safety, particularly off-site, does not generally appear to be considered.
- **Evidence suggests that there is a lack of awareness about road risk in the construction industry**

Despite the wide publicity that the issue of cyclist collisions with large vehicles has received, the levels of awareness of the issue in the construction industry (in London) appear to be low. If you don't know something is happening, how can you address it? Vulnerable road user safety is arguably rising up the agenda of construction companies and general awareness of the issues are increasing with increased media interest, particularly in London. CLOCS is working to improve awareness through incident alerts, bulletins, the CLOCS Manager system and through promoting uptake of best practice via the [CLOCS Standard for construction logistics: Managing work related road risk \(WRRR\)](#).

Since 1974 the Health and Safety at Work Act has governed how safety in the workplace is managed, reported and investigated. This includes a rigorous reporting system known as RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) where matters are reported directly to the Health and Safety Executive. The regulations put duties on employers, the self-employed and people in control of work premises to report these matters. However this does not presently include the work undertaken by those driving for work. In the year 2013-2014 there were 133 worker deaths reported to HSE and 70 members of the public fatally injured in accidents connected to work compared to 1713 people killed in collisions on the road in the same year. The HSE guidance document 'Driving at work' (2014) refers to Department for Transport figures that estimate that more than a quarter of all road traffic incidents may involve somebody that is driving as part of their work. Applying this to the 2013-2014 fatal collision statistics suggests that over 420 people died whilst driving for work.

Key Ask - For work related road deaths (and serious injuries), those that happen on the road in the course of work, to be regarded, regulated, managed and investigated in an equivalent manner to those that happen in the work place

Objectives and targets / Monitoring and evaluation

Data outlining the number and severity of incidents involving vulnerable road users is available both in London, via Transport for London and the Metropolitan Police (specifically the Industrial HGV taskforce comprised of police officers and officers from the DVSA), and nationally via the Department for Transport. Stats19 data is readily available for analysis and interrogation. CLOCS Manager was launched in September 2014 and is a free online system (www.clocs-manager.org.uk) seeking to create a database of incidents, collisions and near-misses that over time can be analysed for trends and utilised as an evidence base from which to demonstrate progress and justify the need for action.

The CLOCS Standard mandates that companies shall capture, investigate and analyse road traffic collisions and report them to their client or contracting entity. CLOCS Manager enables companies to do this. It also provides an opportunity for lessons learned to be shared amongst subscribers. In effect CLOCS is providing a RIDDOR type solution to on-road collisions. There is no doubt that learning notes are considered an important and innovative feature by those using the CLOCS Manager system. It is considered useful for fleet managers to be able to access a resource that demonstrates what similar companies have done to address similar issues. In order to maximise the effectiveness and usefulness of CLOCS Manager it is necessary to gather data from a variety of sources including regulatory authorities where possible. These include police services from across the UK and engagement has started with the Association of Chief Police Officers (ACPO) and with practitioners such as the Commercial Vehicle Unit (CVU).

Early indications suggest that a lack of government national road safety targets may present an obstacle to the collation of UK wide enforcement data. The critical issue is the lack of targets set in relation to reduction of road collisions and those that are Killed or Seriously Injured (KSI). The Mayor of London has set out his vision in the document '[Safe Streets for London: The Road Safety Action Plan for London 2020](#)' (Transport for London, 2013) in which he clearly sets a target to reduce the number of people killed or seriously injured in collisions in London by a further 40% by 2020. This is currently a target not set elsewhere in the UK. Setting targets provides a vision and objective for road safety professionals and prompts crucial performance monitoring. It also encourages those with shared reduction targets to combine resources and effectively tackle the issues. Without targets to strive towards, existing resources may be transferred away from road safety to areas more stringently regulated.

The CLOCS Standard also requires CLOCS organisations to demonstrate that they are a 'Quality Operation' by proving that their operation has been subjected to an approved independent fleet

management audit, for example [FORS \(Fleet Operator Recognition Scheme\)](#). Recent Commercial Vehicle Unit (CVU) statistics from the Metropolitan Police show that FORS operators are:

- 76% less likely to be involved in licencing/insurance offences
- 64% less likely to be involved in Most Serious Infringement Offences (MSI)
- 50% less likely to be involved in Drivers Hours offences

Data reported directly into the FORS performance management system shows that between 2012 and 2013 FORS operators reduced injury collisions by 41 per cent and reduced total collisions by 25 per cent.

On investigating other data available CLOCS has made links with projects that are directly reporting back to the health sector, this is particularly the case with [Collideoscope](#), an initiative encouraging cyclist self-reporting of collisions and near misses. The project is directly related to the Barts Charity '[Bespoke](#)' Project, a collaboration between research teams at Barts Health NHS Trust, Barts Charity, ITP and mySociety to explore bicycle related injuries in London. In the Netherlands studies have taken place to look at single cycle collisions and subsequent cyclist presentation at hospital. NHS Bristol made a submission to the All Parliamentary Cycling Group looking at both collision and non-collision incidents involving cyclists and the variance between hospital admission data and Stats 19 data.

Key Ask - That there to be a consistent data collection and reporting system for work related road deaths that enables trends, analysis, investigation and dissemination of lessons learned to the industry in the same way that RIDDOR reporting enables this for the workplace

Perceptions and culture

One of the key aims of CLOCS is to encourage a greater culture of safety beyond the workplace or construction site gates and to raise awareness of work-related road risk among construction clients, developers, operators, drivers and the relevant authorities and regulatory bodies. The experience of CLOCS is that industry is keen and willing to consider their own responsibility in this area but don't necessarily know where to start. However some are keen to start making changes and redefine the boundaries when considering safety to encompass the whole journey from leaving the transport yard to the final point of delivery.

It is therefore important that the tools and information required to achieve this shift in culture are made available. Within its first year, CLOCS has launched the following tools to assist industry embed work-related road risk within their safety culture:

- **CLOCS Manager**- providing an online resource to effectively record, investigate and analyse road collisions and near misses. It provides companies with performance monitoring dashboards and the ability to analyse aspects of all collision data in relation to their fleet. It also provides benchmarking against similar companies and learning tools gathered from other CLOCS users. The [CLOCS Toolkit – Managing collision reporting and analysis](#) provides useful advice and structured forms to assist companies from the point of collision right through to investigation and analysis
- **CLOCS alerts and bulletins** - CLOCS is committed to promoting awareness of collisions. In the most serious of collisions including fatalities, CLOCS will send an email alert highlighting the incident details. The CLOCS bulletin is produced monthly and contains information from a variety of sources considered useful in helping industry to reduce collisions and near-misses. The information is gathered from across the UK

- **CLOCS Standard** - launched in December 2013 the CLOCS Standard was written and published by the construction industry with the aim of creating a consistent national standard, removing the confusion and associated costs caused by the multiple policies, standards and codes of practice in existence beforehand. The Standard looks at work related road risk and reducing collisions involving vulnerable road users. It focuses on 3 major areas for fleet operators - operations, vehicles and drivers and also includes a number of requirements for construction clients. Organisations committing to adhere to the CLOCS Standard can formalise their involvement by signing a Memorandum of Understanding and becoming CLOCS Champions
- **CLOCS guides** - the CLOCS Standard has been reinforced by a series of supportive guidance documents:
 - CLOCS Guide – Managing driver training and licensing
 - CLOCS Guide – Managing supplier compliance
 - CLOCS Guide - Managing work related road risk in contracts
 - CLOCS Toolkit – Managing collision reporting and analysis

An independent evaluation of the effectiveness of the CLOCS Standard, carried out with operators, clients and trade associations, identified that there is a universal desire for the CLOCS Standard to become consistently applied to all construction contracts everywhere in the country. This is balanced by a concern that the perfect storm of London's political landscape is unlikely to be replicated nationwide. There is a need to address the perception that what happens in London is not relevant to the rest of the UK. The evaluation also identified that voluntary adherence means that there is little pressure on companies currently not implementing the CLOCS Standard to do so. Voluntary implementation can be encouraged but will only go so far in delivering a culture shift. Regulatory input to work related road risk would have the greatest impact on perceptions and culture and a Government lead would add impetus to a culture shift.

The importance of collaborative working and communication cannot be underestimated when trying to achieve a culture shift. CLOCS is first and foremost an industry led initiative. Without the knowledge and experience of the industry and without their willingness to work progressively, pragmatically and collaboratively in support of a common principle, CLOCS would not have made the impact it already has and will continue to do so moving forward.

Key Ask - That there be a common code of practice or standard for the management of work related road risk, recognised by the government, such as the CLOCS Standard implemented by client bodies and FORS adhered to by operators, both of which are aligned to one another

Promotion

Awareness of transport safety, specifically in the area of road risk and vulnerable road users, is increasing. Serious incidents and fatalities are increasingly reported in the news, particularly in London where a spate of six cycling deaths in two weeks in November 2013 caused considerable media coverage and concern. Cycle safety can also be a controversial and emotive subject with particularly divided supporters and opponents. Promotion of road safety in this area must be particularly considered and sensitive. There continues to be scope for further road safety promotion and CLOCS would support continued and increased press coverage and support by Government and safety practitioners, enabling a more regular, consistent and widespread coverage of road safety issues across the UK.

CLOCS looks to its Champions to spread road safety messages to reduce road risk throughout their supply chains and by taking opportunities to maximise coverage through their own press and media links, promoting a positive culture and weaving work related road risk reduction into company cultures from CEO to shop floor and transport yard.

The CLOCS project team and representatives from the CLOCS working groups continue to identify and maximise opportunities to promote CLOCS and the innovative and inspiring way in which industry members have all worked together to address the safety issues raised in the original TRL report. This continues to be an objective and the challenges include the expansion of CLOCS beyond London and the South East to the remainder of the UK.

Research

Since the launch of CLOCS in 2013, it has become apparent that for action to be taken up or for change to be effectively communicated, encouraged and taken seriously, there must first be a robust evidence base in place to demonstrate both the extent of the problem and the effectiveness of a proposed solution. CLOCS has made provision in its budget for and commissioned/carried out the following pieces of research:

- **Driver distraction research (SPA)**- seeking to gain a more detailed understanding of the advantages and potential drawback of vehicle safety equipment to help inform ongoing and future TfL strategies, projects and programmes. The final research report can be downloaded [here](#)
- **Comparison of HGV direct and indirect vision (Loughborough Design School)**- utilising 3D modelling technology to demonstrate and compare the blind-spots of different HGV vehicle models and makes, the research will inform regulatory and voluntary measures to improve the design of HGVs and safety of vulnerable road users.
- **Future HGV visibility (Loughborough Design School and T&E)** - looking into the design of category N₃ vehicles with regard to improved driver direct vision, exploring the potential to reduce blind-spots through changes to vehicle geometry made possible by the proposed increase to vehicle length (through EU regulations).
- **Operational Conditions Research (AECOM)** - aiming to research, develop and launch a system classifying construction and other off-road sites by the ground conditions. This classification will determine the specification of the vehicle required to service each typology in terms of its off-road capability.
- **Evaluation of HGV vulnerable road user safety technology (Transport Research Laboratory)** - creating a transparent, well-understood and progressive vehicle safety technology market capable of achieving desired road safety outcomes through wider uptake of proven effective technology, the research aims to:
 - Define a set of performance criteria for evaluating the effectiveness of vehicle safety equipment/devices
 - Establish a robust and consistent process for independently evaluating the effectiveness of vehicle safety technology for HGVs against objective performance criteria.
 - Provide potential purchasers of such systems with an easy method for comparing the strengths and weaknesses of competing solutions and to aid their decision making process.

Conclusion

CLOCS is working hard with the construction industry to address the issues identified through independent research and statistics. The industry is leading the way in this field but action and support from the government will strengthen and extend the impact that CLOCS can achieve on its own. We ask that work related road incidents be regarded, regulated, managed and investigated in an equivalent manner to those that happen in the work place; that a consistent data collection and reporting system for work related road deaths is adopted along with national reduction targets; and

that a common work related road risk code of practice for client bodies and operators is recognised by government.

References

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