

South Ribble Council and
Chorley Council

Final
Internal Audit Report

Driving Licence Checks 2023/2024

Audit Assurance: Limited
Auditor: David Holgate
Date Issued: 26th October 2023



Cert No: 20128



WORKING TOGETHER

Reason for the Audit & Scope	
1	<p>The Council will seek to encourage safe driving practices and behaviour, and reduce the risks associated with employees driving on work related matters; as such the checking of driving licences for all employees who drive on Council business is an integral process and helps the Council meet its responsibilities under The Road Traffic Act 1988, the Health and Safety at Work etc. Act 1974 and The Management of Health and Safety at Work Regulations 1999 (as amended).</p> <p>The review is included in the 2023/24 Annual Audit Plan approved by the Governance Committee on the 7th March 2023 (CBC) & 15th March 2023 (SRBC).</p>

Audit Objectives	
2	The overall objective of the audit was to provide an opinion of the adequacy, application and reliability of the key internal controls put in place by management to ensure that the identified risks are being sufficiently managed.
3	The audit also assessed the effectiveness of the various other sources of assurances using the three lines of defence methodology.
4	<p>This review will assess the policies and procedures that the Council have implemented to meet its legal obligations and consider whether driving licence checks are being undertaken in accordance with the standards set out within.</p> <p>No fraud risks or performance management data were identified for inclusion.</p>

Audit Assurance	
5	This is the first review of Driving Licence Checks for both Chorley and South Ribble.
6	The Head of Internal Audit is required to provide the Governance Committee with an annual audit opinion on the effectiveness of the overall control environment operating within the Council and to facilitate this each individual audit is awarded a controls assurance rating. This is based upon the work undertaken during the review and considers the reliance we can place on the other sources of assurance.
7	<p>Our review identified that both Councils have committed to undertake a programme of Driving Licence checks for all officers that carry out work related driving to help meet the requirements of various Road Traffic Acts and Health and Safety legislation outlined above (Paragraph 1) and the expectations of our insurance provider. It can be confirmed that a level of checking is being performed across both Council's with HR undertaking the majority of this function centrally utilising the Continuum system. The exception to this is South Ribble Waste Services where a local procedure is in operation for the waste fleet drivers, and the Leisure Companies whose arrangements currently lie outside of the Council approach.</p> <p>Employers need to have policies and procedures in place to ensure that vehicles (irrespective of who owns them) and drivers are safe and legal to be on the road, however neither Council has adopted a policy that formally sets out its responsibilities and requirements.</p> <p>Sample testing conducted against the current established practices operational within HR for each Council highlighted that checks were not being routinely undertaken at the prescribed frequencies and a number of staff have not been included within the programme of checks.</p> <p>Both Council's utilise the Continuum online platform for Driving Licence validation services with a separate profile and login maintained for each Council. Testing of the information held within Continuum highlighted that 39% of the 67 sampled officer records had at least one error or omission with at least one of the following weaknesses typically identified:</p>

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- The Continuum record cannot currently be considered a complete and comprehensive record as testing identified that 21% of the 67 officers sampled drive for work purposes and have not been added to the Continuum system;
- Examples of drivers assigned to the wrong Councils profile and/or officers categorised incorrectly within Continuum, both impacting on the frequency of checks undertaken;
- Wider testing of all registered Continuum users identified a number of expired/missing consent forms, 7% for Chorley and 21% for South Ribble. Valid consent is essential to ensure checks are permitted and can be undertaken in a timely manner.

Furthermore, it was evident within our tested sample that officers who are undertaking work related driving in their own vehicle are more likely to be missed from the Continuum programme of Driving Licence checks mainly due to the fact that an initial check was not performed when they first joined the organisation. New starter procedures should be strengthened to ensure that when it is a requirement of the post to hold a valid driving licence consent for checks should be sought and undertaken prior to the commencement of their new role. Staff members from Chorley Leisure Limited and South Ribble Leisure Limited have not had their driver status assessed by HR and have not been included in any new starter/ongoing programme of checks as no request for these services have been made by the Leisure Companies and have not been included within existing Service Level Agreements.

Although it is evident that a level of Driving Licence checks is operational at both Councils, it cannot be confirmed that this is undertaken in a consistent and methodical manner to ensure that all officers that undertake work related driving have been identified; or those that have been identified have their driving licence re-checked at the accepted frequency. Moreover, the lack of an approved 'Driving at Work' policy has allowed deviations from the established procedures and a lack of clarity regarding the responsibilities of HR, Line Managers, and the officers themselves and both Councils may struggle to demonstrate to their insurance providers that they have effective and pro-active procedures in place to comply with legislation and manage driving-related risks. For these reasons, a **Limited** assurance rating has been awarded.

Control Rating Key

Full – the Authority can place complete reliance on the controls. No control weaknesses exist.

Substantial - the Authority can place sufficient reliance on the controls. Only minor control weaknesses exist.

Adequate - the Authority can place only partial reliance on the controls. Some control issues need to be resolved.

Limited - the Authority cannot place sufficient reliance on the controls. Substantive control weaknesses exist

Risk and Controls	Control Evaluation
Risk 1 – The Council has not defined its approach to encouraging safe driving practices at work.	
Driving safely policy in place.	Action 1
Responsibility for checking licences is clear.	Action 1, 2, 3 & 6
Policy is easily accessible.	Action 1
Driving licence requirements clearly defined.	Action 1 & 3
Category of drivers identified.	Action 1, 3 & 6
Escalation protocols are clear.	Action 4
Risk 2 – Driving licence checks are not being performed leading to unsafe/banned employees driving for the Council.	
Driving licence requirements clearly defined.	Action 1 & 3
Escalation protocols are clear.	Action 4
Continuum (Licence Bureau) system up to date and accurate.	Action 7
Checks conducted as per agreed process.	Action 2, 3, 4 & 5
Consent forms obtained for each driver.	Action 7
New employees/drivers are checked in a timely manner.	Action 6 & 8
Records maintained for an audit trail.	Working as intended
Risk 3 – Failure to meet obligations under Road Traffic Act/Health & Safety at Work Act.	
Driving safely policy in place.	Action 1
Legislative requirements are clearly outlined within the policy.	Action 1
Responsibility for checking licences is clear.	Action 1, 2, 3 & 4
Supervisory checks undertaken to ensure consistency.	Action 9

*Additional risks and controls identified by Internal Audit to be added to GRACE

AUDIT ASSURANCE

Three Lines of Defence

Audit Area	1 st Line	2 nd Line	3 rd Line	Internal Audit opinion
Driving Licences	HR	Line Managers	Internal Audit	<p>Although a level of driving licence checks is currently being undertaken, reliance cannot be consistently placed on the first line of defence until this is undertaken in a consistent and methodical manner.</p> <p>Adoption of a 'Driving at Work' policy would clarify roles and responsibilities and further strengthen the 1st and 2nd Line of Defence.</p>

Risk and Control Evaluation

Risks Examined	Full	Substantial	Adequate	Limited
Risk 1 – The Council has not defined its approach to encouraging safe driving practices at work.				✓
Risk 2 – Driving licence checks are not being performed leading to unsafe/banned employees driving for the Council.				✓
Risk 3 – Failure to meet obligations under Road Traffic Act/Health & Safety at Work Act.				✓
OVERALL AUDIT OPINION				✓

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MANAGEMENT ACTION PLAN

NO.	FINDING	AGREED ACTION	OFFICER & DATE
Policies and Procedures			
1	<p>Our review highlighted that both Council's do not have a policy in place to assist compliance with statutory legal requirements associated with work related driving and as such neither Council has formally approved a corporate procedure that sets out the following in relation to the checking of driving licences:</p> <ul style="list-style-type: none"> • Requirement for driving licence checks to be undertaken and periodically reperformed; • Officer and organisational responsibility for checks; • The categorisation of officer driver status; • The nature and frequency of checks to be undertaken. <p>It is essential to ensure that everyone driving on behalf of the Council has the appropriate licence to carry out their roles; and the Councils need to ensure that a suitable policy is in place to reduce risks associated with work related driving, meet the provisions of road traffic and health and safety legislation, and the expectations of the insurer.</p>	<p>The Head of HR has submitted a 'DVLA Checks and Compliance' report to SMT and has received approval to draft a new 'Driving at Work' policy. This will seek to provide clarity on the following areas in relation to driving licence checks:</p> <ul style="list-style-type: none"> • Responsibilities of the Council, managers and employees; • The arrangements for driving licence checks that will be adopted going forward. <p>This will include wider considerations in relation to driving such as insurance, road tax, and MOT requirement; setting out the standards of safe driving expected by all Council employees.</p> <p>The Head of HR will lead the development and implementation of the policy with input and assistance from the Health & Safety Team.</p>	<p>Hollie Walmsley / H&S Team</p> <p>December 2023</p>
2	<p>Our review identified that it is evident that both Councils have committed to undertake a programme of Driving Licence checks and that a level of checking is being performed across both Council's with HR undertaking the majority of this function centrally utilising the Continuum system. The exception to this is South Ribble Waste Services where a local procedure is in operation for the waste fleet drivers.</p>	<p>The Head of HR confirmed that all Council departments will utilise the Continuum System for driving licence checks and Waste Services officers will be added to the system as soon as possible. Going forward a programme of six-monthly checks will be adopted for HGV fleet drivers.</p>	<p>Hollie Walmsley</p> <p>November 2023</p>

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	<p>Although no issues were highlighted with the local procedure operational for fleet drivers within Waste Services, to ensure continuity of process and make certain checks are being performed to the correct standard/frequency across the whole organisation, consideration should be given to adopting the same methodology/system for checking licences across all service areas.</p>		
3	<p>In the absence of a formal policy an established process has been followed by HR categorising the nature of the driving undertaken for the Council and providing repeat checks at a specified frequency. Testing was performed on a sample of officers across both Council's to ensure that checks had been performed as outlined and the following anomalies were identified:</p> <ul style="list-style-type: none"> • Chorley and South Ribble have a different category of drivers and a different frequency of checks in operation; • Examples of officers for both Councils where checks had not been undertaken at prescribed frequency; • Examples of shared services officers in receipt of travel allowance that drive their own vehicle for work purposes and have never had their driving licence details checked. <p>Consideration should be given to formalising the categorisation of driver status and aligning the frequency of checks across both Councils given the similar nature of jobs that exist at both authorities and the large number of officers that work within shared services across both organisations. Once established checks should be carried out as per the agreed approach.</p>	<p>The new 'Driving at Work' policy outlined in Action 1. will include the categorisation of driver status and the frequency that automated repeat checks will be undertaken. This be aligned across both councils to ensure a consistent approach is adopted for Chorley, South Ribble and Shared Services employees.</p>	<p>Hollie Walmsley December 2023</p>
4	<p>The HR Consultant advises Line Managers on a discretion only basis of motoring offences that have been notified via the Continuum system.</p>	<p>The new 'Driving at Work' policy outlined in Action 1. will affirm officer responsibilities to advise their Line Manager of motoring convictions/offences they have been charged with,</p>	<p>Hollie Walmsley</p>

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	Line Managers are knowledgeable of their teams tasks and job descriptions and best placed to understand the driving requirements of the service, therefore, they need to be advised when officers have been cautioned, summoned or convicted for a motoring offence so that they can discuss what (if any) action is necessary.	particularly if this has occurred whilst driving a council vehicle or whilst on Council business in their own car. The policy will also set out the standards of safe driving expected by all Council employees; and provide guidance to Line Managers setting out their responsibilities so that there is an understanding of what action may/may not be necessary when a Continuum notification has been received.	December 2023
Driving Licence Checks			
5	Our testing, and subsequent reconciliations undertaken by HR, identified a number of officers working for the Councils for a significant period of time that drive a Council vehicle, and/or their own vehicle for work related activities where it could not be confirmed that any checks of their driving licence had been undertaken. All officer records should be reviewed to ensure that their council driving status has been correctly identified to enable the appropriate check to be undertaken as soon as practicable.	The Head of HR has submitted a 'DVLA Checks and Compliance' report to SMT and has received approval to adopt an 'opt-out' approach to identifying officers that need to have their driving licence checked. A full staff report will be presented at SLT to clarify managers understanding of work-related driving and to seek the identification of employees that do not drive a Council vehicle, and/or their own vehicle for work related activities. Once this information has been acquired, all employees of the Council who have not currently been checked will be added to the Continuum system, consent will be sought, and they will be checked as a matter of urgency.	Hollie Walmsley November 2023
6	Testing identified that no driving licence checks are currently being carried out for Chorley Leisure Limited or South Ribble Leisure Limited. As a number of staff members operate across multiple sites the driving requirements of the leisure companies should be assessed and staff checks should be incorporated within the relevant Council's Continuum System.	The Head of HR will seek clarification with each Leisure Company with their requirements in relation to driving licence checks and will provide options for The Board to consider to ensure compliance with legislation.	Hollie Walmsley November 2023
Continuum System – Driving Licence Validation Services			

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7	<p>Both Councils utilise the Continuum online platform for Driving Licence validation services with a separate profile and login maintained for each Council. A review of the current information held within the Continuum system for our sampled officers across both Councils identified:</p> <ul style="list-style-type: none"> • The Continuum record cannot currently be considered a complete and comprehensive record as testing identified that 21% of 67 sampled officers drive for work purposes and have not been added to the Continuum system; • Examples of drivers assigned to the wrong Councils profile; • Examples of officers categorised incorrectly within Continuum impacting on the frequency of checks undertaken; • A number of expired or missing consent forms were identified. Valid consent is essential to ensure checks are permitted and can be undertaken in a timely manner. Wider testing of the whole system showed that 14% of registered drivers across both councils had expired/missing consent forms. <p>It is essential that the information held within Continuum is accurate and up to date to ensure that checks can be conducted in a timely and reliable manner. A data cleansing exercise should be conducted to correct errors and omissions and remove any records for employees no longer working for either organisation.</p>	<p>The Head of HR confirmed that work has already commenced to correct the issues identified and a full reconciliation/validation exercise will be completed imminently ensuring a comprehensive and updated system is in place for each Council.</p> <p>As outlined in Action 5. above all employees of the Council who have not currently been checked will be added to the Continuum system, consent will be sought, and they will be checked as a matter of urgency.</p>	<p>Hollie Walmsley December 2023</p>
New Starters			
8	<p>Testing highlighted examples where new officers who would be undertaking work related driving in their own vehicle did not have an initial check of their driving licence undertaken and were subsequently missed from the ongoing programme of Driving Licence checks. Where it is a requirement of the post to hold a valid driving licence all new starters should be approached to provide</p>	<p>As outlined in Action 5. above an 'opt out' approach will be adopted to identify officers that need to have their driving licence checked, this approach will also extend to the Council's 'New Starter' procedures with Line Managers providing confirmation that the officer will not be required to drive for work-related activities. This requirement will also</p>	<p>Hollie Walmsley December 2023</p>

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	<p>consent for checks to be undertaken prior to the commencement of the role.</p> <p>The HR service should review the new starter process to ensure that a new member of staff is approached to provide consent for checks to be undertaken prior to the commencement of their new role.</p>	<p>be incorporated within the new recruitment system when it is introduced imminently.</p> <p>Furthermore, a 'New Starter' report will utilised as an additional check to ensure all individuals have provided consent and have been added to Continuum.</p>	
Managerial Oversight			
9	<p>No supervisory checks are currently in place. A periodic spot check of the system should be introduced to ensure that the procedures operate as agreed and driving licence checks are completed and up to date.</p>	<p>The HR Team will undertake spot checks of the system on a six-monthly basis to ensure the systems are operating as outlined in the new 'Driving at Work' policy (see Action 1.).</p>	<p>Hollie Walmsley January 2024</p>

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