

# Loss Prevention Standards

## Driver Licence Checking

### Introduction

This guide is intended to be used in conjunction with, and complement, your fleet policy documentation and driver handbooks. Use the information to evaluate your current driving licence verification policy and highlight any potential deficiencies in your policies and procedures.

As part of UK legislation, companies have an explicit duty of care to all other road users while their employees are driving on company business. Ensuring that employees are both able and eligible to drive is of fundamental importance. In the UK, the laws governing driving activities are set out in the [Road Traffic Act 1988](#), the [Road Vehicles \(Construction and Use\) Regulations 1986](#) and other associated regulations. These laws relate to the type of vehicle a driver may operate, the condition and roadworthiness of the vehicle, the ability and qualifications needed to drive the vehicle, and issues of adequate insurance cover. The same laws apply to drivers whether on private or business journeys.



The legal minimum requirement is for the driver of a vehicle to hold a full and valid driving licence for the category of vehicle being driven. However, relying solely on employees to ensure that they have a current and valid driving licence could leave a company severely exposed to legal action, through negligence and failing to meet its duty of care obligations. As part of the procedure, any driver who fails to adhere to company policy with regards to licence verification must be assumed to not hold a valid licence, until proven otherwise, and so driving entitlement must be suspended immediately, pending clarification.

Regardless of the system you choose to implement, you need to make it an absolute requirement for drivers to inform their employer immediately if they are convicted of any driving offence.

Fleet operators need to take action to ensure that their policies and monitoring systems will stand up to external scrutiny in the event of a serious accident involving employees on company business, and a robust licence checking procedure forms part of this.

### Checking Options

There are many different categories of driving licence, with variations arising in the level of entitlement, vehicle classifications, and the licence holder's country of origin. All these issues make it important that you ensure every driver on company business has a full and valid driving licence. Whether or not the company actually provides the vehicle in which the employee is to drive on company business is an irrelevance. If an employee is driving on company time, for business purposes, the employer has a duty of care over the actions of that individual and, consequently, an absolute responsibility to ensure that the employee acts within the law.

Whichever method of licence check you use, you need to identify any endorsements which may be present on the driving licence to enable you to assess the level of risk that the licence holder presents, and their ability to carry out your business safely. It is not just endorsements that companies need to look for but also expiry dates, medical dates, category entitlements, disqualifications and revocations. There must be demonstrable procedures and records which clearly show that some form of licence check is carried out on a regular basis, and that where any checks have been omitted or have revealed unacceptable risks, action has been taken to address the situation.

If drivers do not submit their driving licences for checking or fail to make self-declarations, company policy must assume that they do not hold valid licences or have accrued endorsement points. Such cases clearly identify unacceptable risk and action must be taken to secure a copy of the driver's licence, or obtain a Driver and Vehicle Licensing Agency ([DVLA](#)) licence check. If the licence cannot be viewed, any business driving (or private use in a company-provided vehicle) must be suspended immediately.

## Physical Checking

A physical check of the driver's original licence should form the first stage of any driving licence policy and is the primary step in ensuring driver eligibility. This is probably the most common form of vehicle licence check and should be completed in the first instance at interview as part of the recruitment process, to ensure that they are able to drive the vehicle types which you operate, and then repeated at prescribed time intervals as detailed in your company policy. If this is not possible, a check should be carried out at induction and the offer of employment conditional on them having the correct licence.

Drivers should be instructed to present a PDF summary of their licence. The PDF can be obtained from the [DVLA's View Driving Licence](#) website. Alternatively employees can generate a unique access code enabling the employer to view the data online via the [DVLA's Share Driving Licence](#) website. Once generated, the access code is valid for 21 days. In addition to endorsements, policyholders need to examine expiry dates, the correct home address and category entitlements for the vehicles you intend them to drive. Policyholders should ensure that supervisory staff undertaking these checks have received appropriate training and are competent to carry out this work.

## Third Party Service Provider

Whilst the new checks via the Share Driving Licence website will reduce fraud giving a live snapshot of endorsements, many organisations will opt to deal directly with the DVLA using a company that has access to the licence database to undertake their checks. It is recommended that Third Party Service Providers are registered with the [Association for Driving Licence Verification](#) (ADLV).

This method of checking is the most robust and fool proof method and offers a strong and defensible policy as well as reducing time and administration. The checks are particularly effective if you suspect that a number of employees may be driving without a valid licence or may have amassed significant penalty points without declaring them.

Checks can be set up to be done at various time intervals according to your requirements, and data can be accessed at any time if required. Drivers will have to sign a mandate authorising the company to access their details and this should be completed during induction following the physical inspection of their licence. Consent is required as personal data held by the DVLA is covered by the [Data Protection Act 2018](#).

Whilst there is a cost to using this method, authorised providers can provide detailed management information, alerts for those with a high level of convictions, and help to reduce the administrative burden on companies.

In some instances, you may use both checking methods. For example, you may introduce a physical driving licence checking system but, due to concerns over an individual driver or limited group of drivers, may need to make checks directly with the DVLA. Combining policies in this way will result in a robust and defensible policy against potential abuse. Where no reporting is identified when checks are undertaken, suitable action needs to be taken and records kept.

Do not forget to review the licences of occasional drivers, agency staff or contractors using your vehicles, and of named drivers who are not employees, such as employees' partners.

## Retention of Documents

Records should be kept to prove that checks are carried out regularly, commensurate with the risk exposure and that where any checks have revealed unacceptable risks, remedial action has been taken.

## Frequency of Checks

It is recommended that driving licence checks are carried out at least on an annual basis for car and van drivers and for commercial drivers' best practice is to check licences every 3 months, but 6 months is acceptable.

For high mileage drivers or those with multiple endorsements the frequency of checking should be increased. As an example, if company policy is that drivers have their licences checked annually, then those who have between 3 - 6 points should have their licence checked every 6 months, and any drivers with more than 6 points should have their licences checked every 3 months.

## Agency Drivers

If you use agency staff that drive your vehicles it is important to include them in your checking procedure and do not delegate the undertaking of this task to the agency. For temporary drivers a physical inspection of the counterpart and the PDF summary as described above will be adequate. For more regular agency drivers it is recommended that they are included as part of your ongoing time-based checking procedure.



## Foreign Nationals

Checking the driving licences of drivers from outside the UK is very important, as different restrictions apply to different countries.

Drivers from the European Union (EU)/European Economic Area (EEA) visiting Great Britain can drive any vehicle for which full entitlement is shown on their licence, for as long as that licence remains valid. If they become resident in the UK holders may drive on their Community licence until aged 70, or for three years after becoming resident, whichever is the longer period. Alternatively, they can apply to the DVLA to exchange their licence for a UK licence.

Visitors from a number of designated, non-EU/EEA countries (see DVLA for the complete list) who hold a full ordinary licence from their country of origin are entitled to drive vehicles up to 3,500kg with up to eight passenger seats, for up to 12 months. If the licence covers medium-sized or large lorries or buses, drivers are only entitled to drive vehicles that have been registered outside Great Britain and which they have driven temporarily into the country. For new residents from these countries, their foreign licence is valid for 12 months when it can be exchanged for a UK licence.

Visitors from all other countries with a full, valid licence may drive a vehicle up to 3,500kg with up to eight passenger seats in Great Britain for up to 12 months, as long as the licence or International Driving Permit remains valid. Drivers of medium-sized and large vehicles are only entitled to drive vehicles that have been registered outside Great Britain and which they have driven temporarily into the country. New residents from these countries may drive using their foreign licences for up to 12 months and must then obtain a provisional UK licence and pass the appropriate driving tests.

The best policy is to use a third party provider who can electronically access databases to check entitlement. If as an organisation you still check licences manually, it is vital to inspect all foreign licences very carefully and seek assistance from the DVLA where necessary. You may also find it useful to contact the UK-based embassy of the country in which the licence was issued, to ensure that the licence is still current and valid. Often, embassies can supply official translations of licences, if needed. Alternatively, companies can require employees to convert to a UK licence and then check their licence in line with their preferred option.

## Driver Qualification Card (DQC) – Large Goods Vehicle (LGV) and Passenger Carrying Vehicle (PCV) Drivers

LGV and PCV drivers, all professional and commercial vehicle drivers, with few exceptions, have been required to complete 35 hours of compulsory Driver Certificate of Professional Competence (Driver CPC) periodic driver training every five years. This obligation is in addition to the driver's normal driving licence requirements and is recorded on a separate DQC which must be carried by the driver when driving, as evidence of the Driver CPC status. The DQC is issued by the Driver and Vehicle Standards Agency (DVSA) on successful completion of the initial test and when 35 hours of periodic training has been completed. If applicable, you should also evidence that a valid DQC is held.

## Digital Tachograph Card

Where the driver is in possession of a digital tachograph card, checks should be made to ensure the card remains valid; digital tachograph cards need to be renewed every five years. Information regarding the digital tachograph card expiry date are included in the 'share driving record' enquiry and can also be included in any checks made by a third party provider.

## ADR (the International Carriage of Dangerous Goods by Road) Entitlement

Drivers involved in the carriage of dangerous goods by road, under the scope of ADR, are required to complete initial and five yearly refresher training in order to remain competent. This is recorded on a separate driver qualification card, which must be carried by the driver when on duty. If applicable, you should regularly check that a valid ADR qualification card is held and current, ensuring that it covers the relevant categories of goods you intend the driver to transport on your behalf.

## Additional Information

- <https://www.hse.gov.uk/roadsafety/>
- [GOV. UK – Driver CPC training for qualified drivers](#)
- [GOV. UK – Driving dangerous goods and special loads](#)
- [GOV. UK – Driving in Great Britain on a non-GB licence](#)
- [Brake – Foreign drivers](#)

Further risk management information can be obtained from [Aviva Risk Management Solutions](#)

Please Note

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