

TOOLBOX TALK

LOAD SECURITY



The British Aggregates Association



Inquest

When an inquest was held, assistant coroner Gordon Clow found as a fact, on the balance of probabilities, that the piece of concrete had fallen from this lorry.

In fact, he was so concerned about the company's practices for loading vehicles he sent what is known as a **Report to Prevent Future Deaths**, asking them to take action to stop other people from being killed.

The report was also sent to the **Driver and Vehicle Standards Agency (DVSA)** who fully support the coroner in ensuring lessons are learned from this accident.

This toolbox talk aims to remind everyone of their responsibilities when it comes to load security and prevent other people from being killed or injured in the same way.

OVERVIEW:

On the 7th of July 2020, car driver Steven Oscroft was killed instantly when a lump of concrete fell from a Tipper lorry, smashed through their car windscreen, and struck his head.

Steven's wife was sitting in the front seat of the car and his two young grandchildren were in the rear of the car at the time of impact.

Points to emphasise

It's not unusual for objects to fall from vehicles and cause impacts. In fact, National Highways reported more than 22,000 "road impact incidents" caused by objects falling from vehicles in one year alone.

During an average year, there are around 2,000 prohibitions issued for unsafe loads.

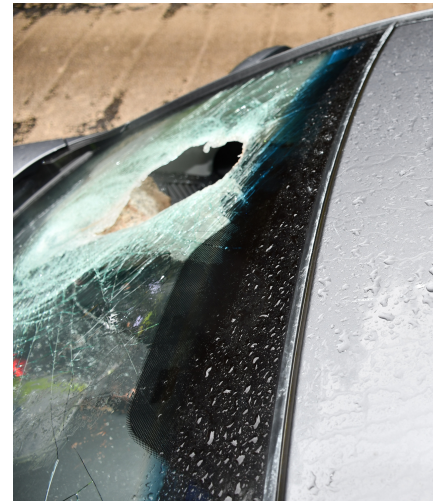
Insecure load enforcement has changed over recent years, with the Driver And Vehicle Standards Agency (DVSA) now have the power to impose prohibition notices and fixed penalties.



The DVSA, as well as the police can now also bring proceedings before the magistrates courts, with recent sentencing guidelines suggest that even in the most simplest of cases, and with no injuries occurring, the starting point for a driver's fine should be the equivalent of a weeks wages.

If a driver commits two or more offences of this nature within a period of three years, the court must also disqualify them from driving for at least six months.

In addition to prosecutions before the magistrates' court, cases can also be referred to the Traffic Commissioners, which could result in a suspension of vocational driving entitlement.



Remember - The load does not have to have fallen from the vehicle for there to be an offence.

The existence of danger is key.

If the insecure load led to a fatality, the driver could be prosecuted for causing death by dangerous driving, and the real possibility of a custodial sentence.



Companies and Operators

Load security now forms part of the 'maintenance investigation report' carried out by DVSA when visiting an operator.

Appropriate load security arrangements should be in place.

These arrangements include whether drivers and other relevant staff are appropriately trained.

In addition to company prosecution's and increased penalties, cases can also be referred to the Traffic Commissioners.

Load Security

Load security is anything attached to or carried on a vehicle or the way in which it is attached, or it is carried.

It must be remembered that load security must be treated no differently to other operational matters and be treated as a health and safety concern.

Risk assessments, safe systems of work, providing correct equipment and training - both drivers and staff - on load security is paramount within your organisation.



When operators fail to demonstrate that they have taken load security seriously, this will be taken into account should enforcement action arise.

Companies and their staff should be also made aware of the basic principles of load security and with an auditing process in place.



Companies can no longer claim that driver experience is sufficient if they can't show that the proper training has taken place and that all company procedures have been followed.

Carrying out 'spot checks' to ensure that drivers are following procedures and a reporting procedure to ensure that other staff take ownership of their own responsibilities along the supply chain.



No Excuses

Whether it's a piece of aggregate from a Tipper, concrete from the rear of a Mixer, stones between wheels, tools or equipment, these are all load security issues.

There is no excuse for sending dangerous vehicles onto the road network and putting people at risk. We must work together to report and eliminate unsafe behaviour throughout our industry and beyond.