

Days Gazette

SUMMER 2008 ISSUE 007

Doctors on call choose Ford Mondeos from Days



Chris Sullivan from Days Business Centre is pictured handing the keys over to Ian Robertson-Steel, associate medical director of Pembrokeshire Local Health Board.

Days and Pembrokeshire Care on Call have been working together successfully for five years during which time Days has provided vehicles for the out of hours doctors on call service to help them serve the community efficiently.

A third supply of vehicles was recently ordered through Days Contract Hire, one of the UK's leading fleet management companies which is family owned and run and is one of the few independent contract hire companies in the country.

'Days have continually exceeded our expectations with regard to our requirement for short notice maintenance demands'

This is the third time the tender has been won, and the safety aspects and reliability of the Ford Mondeo has made it a popular choice of vehicle.

Ian D'Ivry, Pembrokeshire Local Health Board Fleet manager, said: 'Support in the past from our local Days garage manager and Days Contract Hire has gone a long way to persuading us that the Ford Mondeo was the right choice of vehicle.'

'Days have continually exceeded our expectations with regard to our requirement for short notice maintenance demands, enabling us to keep all our vehicles on the road at all times.'

'I look forward to another three successful years of motoring with Ford Mondeo from Days.'

Days Driverline

Book all your servicing and maintenance with one call

Help us - to help you. Please take advantage of the dedicated **Days Driverline number 0870 902 0628** to book your vehicles in for services, maintenance, tyres and glass replacement.

We launched the one-stop number to help our Fleet Managers and their drivers in January 2005. More than 80% of regular maintenance bookings are already requested and confirmed through **Driverline**, but to keep our services to you as efficient and responsive as possible - we need more clients to contact us this way.

Avoid headaches

Please don't go direct to your local dealer or garage for routine maintenance, let us manage the process so we can control the quality of service you get.

If you book any service, repair or maintenance on your vehicle without using **Driverline**, we can't authorise it with the service provider in advance. This can lead to disputes over work done and prices charged by your garage. So if you don't use **Driverline**, you could find yourself in the embarrassing situation of the garage refusing to give you your car back!

This obviously creates problems for you as the Fleet Manager and additional time consuming admin in sorting out the payment.

One of the great benefits of using **Driverline**, is allowing us to establish account facilities with your chosen dealer service provider.

Better records

From an administrative point of view, one of **Driverline's** great strengths is in its robust audit trail. Using it allows you to track full details of each vehicle's history throughout its service life.

Making life simpler for you

We hope it's a great help to you, a single point of contact that you - or your drivers can use for all your regular running services etc. Do take advantage, it will make your life that little bit simpler and in a complicated world we could all do with a little more simplicity!

Don't forget

0870 902 0628
helps us to help you

What's inside:

Our centre page feature deals with aspects of the Corporate Manslaughter Act which came into force recently.

Topics covered include mobile communications, employers' responsibilities and the consequences of being convicted under the Act.

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Flexi Hire - a new service that provides an essential short-term vehicle service to help fleets cope with the constantly changing demands of their business...

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DAYS
Contract Hire

Tel: 0845 296 4423
contracthire@days.co.uk

How could the Corporate Manslaughter act affect me?



The Corporate Manslaughter and Corporate Homicide Act 2007, came into force across the UK on 6 April 2008, and will make it easier to prosecute organisations for failures that result in someone's death.

The offence applies to all companies and other corporate bodies operating within the UK in the private and public sectors. This includes partnerships, trade unions and employers' associations, as well as all Government departments and Police forces.

Courts no longer have to prove that an individual or individuals acted as the company's "controlling mind". Instead, the act will look at management systems and practices across the organisation. If the court finds that these are inadequate, the company can be convicted of Corporate Manslaughter.

Companies do not need to comply with any specific new regulations but the Act means that those who neglect existing health and safety law, with fatal consequences, are more vulnerable to very serious criminal charges.

The penalty will be an unlimited fine – possibly up to 10% of annual turnover. Courts will also be able to make organisations publicise details of their conviction and require them to put right the failings that led to the death.

Mobile communications

Recently introduced legislation for using a handheld Mobile Phone whilst driving now carries a £60 fixed penalty plus three points on the licence. Not good news for anyone on nine points.

After fatigue and excessive speed the next biggest cause of accidents relating to 'at work' driving is Distractions and the use of a Mobile Phone whilst driving is considered as a distraction. Numerous high-profile cases have seen Directors, Management and Employees ending up in court, resulting in extremely punitive fines and, in some cases, imprisonment for the driver.

It is a fact that majority of calls received by employees driving on company business are made by the employer. The authorities will take action against the employer if such a call is shown to be a contributing factor in an accident.

It is imperative that your policies applying to employees driving on company business reflect the legislation. Failing to do so will bring you into conflict with the Duty of Care Legislation with potentially serious consequences.



SPECIAL OFFERS FOR THIS ISSUE



Ford Focus Hatchback 1.4 Studio 3Dr



£160_{PM}

Volkswagen Passat Diesel Saloon 1.9 Highline TDI 4Dr



£275_{PM}

BMW 3 Series Diesel Saloon 320d ES (177) 4Dr



£390_{PM}

Call us Today 0845 296 4423 - or visit www.dayscontracthire.co.uk

Business Users only. All figures are subject to VAT, 36 months, 10,000 mpa, non maintenance, inc metallic paint.

What are my responsibilities as an employer?



In the case of a fatal driving accident that leads to a Corporate Manslaughter prosecution, the court would take into account, among other things, the way an organisation applied the HSE guidelines for managing fleet risk, as well as other health and safety practices.

The court will examine the systems of work used by drivers; their level of training; the adequacy of company and private vehicles used for work; maintenance arrangements, and issues of immediate supervision and middle management competence. The organisation's strategic approach to health and safety and its arrangements for risk assessing, monitoring and auditing drivers' safety would certainly be closely scrutinised.

Amongst other things, this puts the full onus on the employer for ensuring that ALL vehicles used on business,

whether employee or company owned or leased are roadworthy, safe and legal - If you allow your employees to use their own vehicles - YOU are now legally responsible for making sure they measure up.

The prosecution would have to prove that the company's failure to manage safety properly was grossly negligent and that "but for" this failure the death would not have occurred. Much of the failing must have occurred at senior management level.

Minimise your exposure to the dangers of this legislation, by ensuring you have professional fleet management partners who will take care of maintenance as part of the package and think twice about letting employees use their own vehicles!

Corporate Manslaughter – What happens if you're convicted:-

1. A very substantial fine. There is no statutory upper limit.
2. On conviction the court can order you to remedy:
 - *The breach which has led to conviction*
 - *Anything that appears to the court to have resulted from the breach*
 - *Any deficiency on the organisation's policies, systems or practices in relation to health and safety of which the breach is indicative.*
3. Failure to comply with a remedial order is an offence in itself, for which the penalty is a further fine.
4. On conviction for an offence of Corporate Manslaughter, the

court may make a publicity order requiring you to publicise:

- *The fact that it has been convicted*
- *Particulars of the offence specified in the order*
- *The amount of the fine*
- *The terms of any remedial order.*

5. Failure to comply with a publicity order is also a fineable offence.
6. Where a charge of Corporate Manslaughter is brought, the court can also prosecute for a health and safety offence. The jury may return a verdict on each charge, though in practice there is likely to be dual charging.

One in three of 3,400 annual deaths on UK roads is likely to involve a vehicle being driven for work.



Days Contract Hire is one of the UK's leading fleet management companies and has been providing professional advice and services for many years. A Fleet News Magazine Top 30 company and one of the few independent Contract Hire companies in the country, Days Contract Hire is still family owned and run.



@ Electronic updates:
 In line with our environmental policy - to save paper - we'd like to send you future news electronically. If you're happy to receive occasional updates from us by e-mail in future please send your name and company details to: **contracthire@days.co.uk**

Flexi Hire



As a part of our commitment to helping your business we have launched a new product, "Days Flexi Hire," that provides an essential short-term vehicle service to help fleets cope with the constantly changing demands of their business. Whether you need a vehicle for one day or 12 months, we can offer you competitive prices using our negotiated rates from national rental companies.

This service was designed following extensive consultation with the fleet industry and will help companies to cover a range of challenges, ranging from cover for new employees to seasonal demands that lead to peaks in fleet requirements.

Days Flexi Hire is also a safe transport solution for employees who are awaiting the delivery of a new vehicle, instead of them relying on their own transport.

It can also be used for staff on secondment from overseas and to tackle safety concerns related to 'grey fleet' safety, where drivers are covering business mileage in private vehicles.

Rentals are as flexible as the name suggests, covering anything from one day to 12 months with various mileage options available.

Most importantly you are not tied in to a long-term commitment and there are no hidden early termination charges.

Contact our Flexi Hire team today on 0845 184 9337 or email flexihire@days.co.uk



Days Contract Hire **Test Drive**

VW PASSAT CC

The Passat CC has the sporty look of a coupe with the comfort of a 4 door saloon; its sleek aerodynamic profile is very eye-catching. The unusual thing is this only comes as a 4-seater, unfortunate for those of you with a large family! I had to ask myself the question though, when did I last carry 3 people in the back of my car?

The model I drove was the 2.0 tdi 140ps diesel entry level, the ride was very smooth and the controls were very user-friendly. As with some of the newer generation of cars this boasts as standard specification an SD card slot on the stereo cd for all you mp3 needs, an electronic handbrake, alloy wheels, 2 zone climate control, multi function steering wheel and a very spacious front and rear centre arm rest!

Good points – eyecatching design, smooth ride and good specification.

Bad points – low door entry level, electronic handbrake and large blind spot.

My rating 8/10

James Eastwood-Duke, Sales Executive

Volkswagen Passat CC Diesel Saloon 2.0 TDI CR 4Dr

36 months, 3+35 payments, non maintenance, 10,000mpa, including metallic paint

£352 per month - P11D £22060.00 - CO2 153