

Driving and Riding for Work in the Gig Economy



Contents

Introduction	3
Your employer's responsibilities	4
Your responsibilities	5
Safe vehicles	6
Journey planning and driver fatigue	8
Fitness to drive or ride	10
Safe driving	12
Use of handheld and hands-free mobile phones	13
Accidents, breakdowns and emergencies	13



Introduction

The nature of work is changing with the growth of digital platforms accessible via smartphones giving rise to new independent ways of working. The gig economy is a result of the rise of new forms of technology. This guide provides advice and information for employers who use gig workers on how they can maximise the safety of those working within this sector, whilst also providing useful information for those undertaking work on what practical actions they can take to maximise the safety of themselves and others whilst working on the road network.

The gig economy involves people who do not get paid a salary but get paid per 'gig' or a 'piece rate' whereby service providers are linked to service users, typically via a mobile app. Drivers and riders who earn money in this way are often referred to as lifestyle workers or flex couriers or workers because they can choose when they work to fit in with other commitments¹.

Drivers or riders working as part of the gig economy travel in vehicles, on motorcycles and on pedal cycles. Common examples of those working in the gig economy include using their own car to provide a taxi service, parcel couriers and fast food delivery drivers and riders.

It has been estimated that 162 million people worldwide are employed as independent workers with official statistics suggesting that there are five million people in the UK who are self-employed. It is not known how many of these five million people are working as part of the gig economy². Official statistics estimate that around 4.4% of the Great Britain population have completed some work for the gig economy within the last 12 months (around 2.8 million people)³.

Driving is one of the most dangerous activities that we do, and driving for work tends to be riskier than driving for private reasons. At-work drivers crash more often, even after their higher mileages are taken into account, are more likely to take risks and to be at-fault when they are involved in a collision.

It is not just at-work drivers and riders that who suffer in work-related collisions. In fact, their passengers, pedestrians, pedal cyclists, motorcyclists and people in other vehicles are more often killed or injured in these crashes than the at-work driver or rider themselves.

These crashes are not just due to driving skills and attitudes, but also to the nature of the driving that at-work drivers are required to do. This may, for example, include unsafe schedules causing fatigue and time pressures or having to respond to work messages while driving or riding.

Gig economy workers are regarded as self-employed and are not covered by employment law. However, gig economy workers are responsible for managing their work in a way that does not create health and safety risks for themselves and others.

¹ Christie, N. and Ward, H. (2018) 'The emerging issues for management of occupational road risk in a changing economy: A survey of gig economy drivers, riders and their managers'

² Work and Pensions Committee (2017) 'Self-employment and the Gig Economy'

³ Department for Business, Energy and Industrial Strategy (BEIS), 2018. The characteristics of those in the gig economy. London.



Your employer's responsibilities

The responsibility for the health and safety of employees lies with the 'duty holder'. This is the person or organisation who is responsible for a worker's day to day safety in the environment where they work. Although gig economy workers are often labelled as self-employed, their employer still has health and safety responsibilities.

Businesses operating in the gig economy should ensure that they hold adequate insurance for workers whose actions they may be held responsible, conduct a risk assessment to properly identify risks and implement measures to ensure that workers are properly trained, have appropriate safety equipment and are not incentivised to take actions which may increase the risk of harm to them or others⁴.

The Health and Safety Executive's 'Driving at Work'⁵ guidelines state that "health and safety law applies to on-the-road work activities and the risks should be effectively managed within a health and safety system." Therefore your employer needs to ensure that you are legally entitled to drive or ride the vehicle, and are properly trained, competent and fit to drive or ride it safely. They should have systems in place to ensure that the vehicle is safe, roadworthy and road legal and policies and procedures to manage the risks involved in driving or riding for work. They should also monitor vehicle use and investigate and learn from accidents and incidents.



⁴ Brodies (2019) 'Health and Safety in the Gig Economy: Who is Responsible?'

<https://brodies.com/blog/health-and-safety/health-and-safety-in-the-gig-economy-who-is-responsible/>

⁵ HSE 'Driving at work: Managing work-related road safety'

<http://www.hse.gov.uk/pubns/indg382.pdf>



Driving and Riding for Work in the Gig Economy

Your responsibilities

As a driver or rider, you must play your part, by ensuring that you are properly licensed, insured for work, fit to drive, plan your journeys safely and comply with traffic laws.

If you use your own vehicle for work (not commuting), your motor insurance policy must include business use cover.

As an employee, you must understand, and follow your employer's driving for work policies. They are likely to have policies and procedures:

- To make sure your vehicle is registered, taxed, has a valid MOT certificate and is insured
- To check your driving licence, probably at regular intervals, to ensure that it remains valid for the vehicle you are driving
- On safe driving, including vehicle checks, journey planning, driver assessment and training, driver fitness, speed, alcohol and drugs, mobile phones and other distractions, passenger safety and reporting accidents and incidents.



Safe vehicles

Motor vehicles

Vehicle condition

You are responsible for ensuring that the vehicle you are driving or riding is in a safe, legal and roadworthy condition. Before driving any vehicle, check:

- Tyres are undamaged (no cuts and bulges), are at the correct pressure and have enough tread depth. The legal minimum tread depth is 1.6mm, but above 3mm gives a much shorter braking distance in the wet
- There are no signs of vehicle damage
- When the engine is cold, oil, coolant and windscreen wash levels are correct
- Brakes are working
- Lights and indicators are working
- Windscreen and windows are not damaged
- Windscreen wipers and washers are working
- Mirrors are correctly positioned.

You will also need to ensure that you are able to see and reach all of the vehicle controls comfortably. Good all-round, unobstructed visibility is vital. Check that your view is not obstructed by objects such as stickers or devices such as satellite navigation systems. If you do have a sat nav, make sure that it is not placed where it may be hit and flung forward in the event that the airbags go off.

If you are not sure how to check any of the above, read the vehicle handbook or ask someone if they can show you. RoSPA's video, [vehicle checks](#), may also help.

Ask if your organisation provides a pre-drive checklist that you can refer to.

If you think that the vehicle is, or may be, in an unsafe or illegal condition, do not drive it until all necessary repairs have been completed.

Safe loading

All drivers must also ensure that their vehicle is loaded safely. It is illegal and dangerous to drive a vehicle that is overloaded or has an insecure load. As the driver, you are responsible for ensuring that any load you carry is legal and safe, even if it was loaded by another person.

It is best practice to put items in the boot rather than the passenger compartment and to distribute the load evenly. You should ensure that the rear seat backs are secure and, if you are not carrying passengers, engage the seatbelts across the rear seats for extra security. Try to keep a clear view to the rear by not packing above the line of the seat backs. You should avoid placing loose items on the dashboard or the rear parcel shelf, as these will become missiles in the event of a collision. Keep the front foot wells clear.



Driving and Riding for Work in the Gig Economy

You should also consider whether the vehicle you drive for work is suitable. If large or heavy loads are carried regularly, a van should be used rather than cramming items into a car. For vans, consider the size, shape and weight of typical loads to be carried and how easily the van can be loaded and unloaded. In some instances, storage racks may be needed.

If you are driving with a heavier load, you'll probably need to adjust tyre pressures to suit. This is because heavy loads are likely to affect your vehicle's handling and stopping distances will be longer.

You also must not drive carrying a load that exceeds the maximum permitted weight for your vehicle. This weight includes everything in the vehicle, the driver and any passengers. You can find this information in your vehicle handbook.

Pedal cycles

It is not just motor vehicles that need to be regularly checked and maintained. If you are riding a bicycle, there are a number of checks you should perform before setting off:

- **Wheels:** If you have a quick release, make sure it is firmly locked. Shake the front wheel to ensure it is not loose. Check the tyre pressure. Check around the tyre for cracks, bulges, foreign objects and general wear. Check the spokes individually to ensure that none have worked loose.
- **Brakes:** Test that both the front and rear brakes work properly. Do this by moving the bike backwards and forwards while you pull the brakes on.
- **Handlebars:** Check that the stem is correctly positioned. Go to the front of the bike and squeeze the front wheel between your knees and gently rock the handlebars to ensure there is no play in them.
- **Pedals:** Rotate them to check that they spin freely. Gently hold each one and rock to and from the frame to check there is no sign of wear in either the pedal or the crank.
- **Chain:** Make sure it is well oiled, with no visible rust and that the links are not damaged or out of place.
- **Seat post:** Hold the saddle firmly and rock it to ensure there is no play and it won't work loose.
- **Front and rear lights:** At night your cycle must have white front and red rear lights. Check that they work correctly and give a good bright light.

For more information, view our [M-Check list](#).

Legally you don't have to wear a cycle helmet and this is a matter of choice, although it will provide you with some level of head protection in the event of a collision. Check to see what the organisation's policy is regarding helmet use.



Driving and Riding for Work in the Gig Economy

Motorcycles

Many of those who ride for the gig economy use motorcycles as part of their job, particularly in the food delivery industry. Many riders use smaller motorcycles (less than 125cc) or mopeds.

To ride on public roads you first need to get a [provisional licence](#) and then complete [compulsory basic training \(CBT\)](#) to get a certificate. You must pass both parts of your practical test within 2 years of taking the theory test. If you do not, you'll have to start the process again. You must display L plates and you must not carry passengers.

However, it is recommended that you take further motorcycle training with the aim of passing your motorcycle test, rather than riding on a provisional licence with compulsory basic training.

The use of high visibility clothing is not a legal requirement, check to see whether this and other protective clothing such as gloves are provided.

Consideration should be given to loading as motorbike stability can be effected by overloading, the use of manufacturer panniers should be used rather than carrying loads on your back.



Journey planning and driver fatigue

Journey planning is an important part of all driving and riding to prevent you becoming tired during your journey. This is particularly important when driving or riding for work, as you may be driving or riding for a longer period of time than you are used to.

Consider whether you are likely to be drowsy or sleepy while driving. You are most likely to feel sleepy when driving:

- On long journeys on monotonous roads
- Between 2am and 6am or between 2pm and 4pm
- After having less sleep than normal
- After drinking alcohol or taking medicines that cause drowsiness
- On journeys home after night shifts.

Your organisation may have some guidance on the amount on the maximum amount of hours you should drive or ride. If not, refer to the [EU Driving Hours](#), which are written for professional drivers. Although gig economy drivers and riders are not governed by these rules, it is strongly recommended that you do not exceed the maximum number of driving hours outlined in the EU Driving Hours.

- Avoid driving at night, especially after a long shift, or after drinking alcohol or medicines that make you drowsy.
- Check weather forecasts and traffic reports before you set off and try to avoid driving in poor conditions. If the emergency services are recommending that people do not travel unless it's absolutely necessary, consult your employer and if you cannot contact them, do not make the journey.
- Follow any limits set by your organisation on maximum driving distances and/or times. Plan where you can take a break about every two hours, and build in enough time to do so. Take rest breaks as planned and resist the temptation to carry on.
- Avoid driving when you would normally be asleep, and make sure that you get plenty of sleep before your shift. Keep meals light before and during your shift; heavy meals can make you drowsy.
- If you are feeling tired, find somewhere safe to stop, drink two strong cups of coffee and take a short nap for 15-20 minutes. But, remember that sleep is the only cure for tiredness. If necessary, find somewhere to sleep overnight.
- If you are concerned about your driving hours, journeys or schedules, or if you find yourself driving when you feel too tired to do so, discuss this with your employer.



Fitness to drive or ride

Your physical and mental health plays a major part in your fitness to drive. You must inform the DVLA about any medical condition that may affect your ability to drive safely. You should discuss any fitness to drive concerns with your doctor and inform your employer about any health conditions or personal circumstances that may affect your driving.

For more information:

www.gov.uk/driving-medical-conditions

www.gov.uk/health-conditions-and-driving

Eyesight

- In good daylight, you must be able to read a vehicle number plate from 20 metres (about five car lengths) or from 20.5 metres for old style number plates.
- If you require glasses or contact lenses to drive, you must wear them at all times when driving. It is an offence not to do so, and may invalidate your motor insurance.
- Have your eyesight checked regularly (at least once every two years, or more often if your optician recommends it).

Alcohol

- Alcohol makes drivers over-confident and more likely to take risks. It slows reactions, increases stopping distances, affects judgement of speed and distance and reduces the field of vision. Even a small amount, well below the legal limit, seriously affects your ability to drive safely.
- The drink drive limit is 80mg of alcohol per 100ml of blood in England and Wales, but lower in Scotland, at 50mg of alcohol per 100ml of blood.
- Many drink drivers are caught the morning after they have been driving. If you were drinking late the previous night, you could easily still be over the limit the next morning. Even if you are under the limit, you may still be affected by the alcohol in your body.
- The only safe option is to avoid drinking alcohol in the hours before you will be driving.

Driving and Riding for Work in the Gig Economy

Drugs and medicines

- It is illegal and dangerous to drive if unfit to do so because of drugs or medicines. They can affect decision making and driving and riding skills, as well as your physical and mental condition and behaviour, and significantly increase your risk of crashing. The penalties are the same as for drink driving.
- It is also illegal in England, Scotland and Wales to drive with certain drugs in the body above a specified limit (even a very small amount would put a person over the limit) or with certain prescription drugs above a specified limit.
- Check with your GP or pharmacist whether any over-the-counter prescribed medicines you are taking are likely to affect your driving. If so, ask for an alternative that does not, or avoid driving.

Illness

- Common conditions, such as colds, flu, migraines, stomach upsets and hay fever can affect your ability to drive safely. Don't be tempted to continue to drive, when it would in fact be safer for everyone concerned, not to drive until feeling better.
- If you start to feel unwell while driving, stop the vehicle somewhere safe. If the condition is not serious, you may feel well enough to continue after a short break or taking some medication. But, if you find your concentration is affected, make other arrangements to continue your journey.

If you think that you are over the drink drive limit or unfit to drive for any reason, do not drive. Contact your employer to explain and allow alternative arrangements to be made.



Driving and Riding for Work in the Gig Economy

Safe driving

Almost all road crashes involve human error, ranging from simple, 'honest' mistakes to deliberate dangerous and illegal behaviour.

Driving is a very personal thing; we all have our own views, attitudes and habits. Our attitudes as drivers, how we deal with our own mistakes and our reaction to those made by others, influence our own safety and wellbeing and that of other road users around us.

Safe speed

Although gig economy work can be pressurised, with drivers and riders being paid only for what they deliver or the journeys they complete, it is important to remember that you must drive and ride within the speed limit at all times.

When travelling at higher speeds, you have less time to identify and react to what is happening around you. It takes longer to stop. If there is a crash, it is more severe, causing greater injury to you, your passengers and any pedestrian or rider hit. Higher speeds also magnify other errors, such as close-following or fatigue or distraction, multiplying the chances of causing a collision.

Speed limits set the maximum speed for that road. But, there are many instances where it is not safe to drive at that speed (for example, around schools or on a narrow road). Make sure that you know the speed limit of the roads you are using by checking for speed limit signs at junctions and repeater signs after junctions, especially if the nature of the road has changed.

If you feel pressurised to exceed speed limits (due to a tight schedule, for example), discuss this with your employer.

Seatbelts

The most effective way of protecting people inside vehicles is to make sure that every occupant wears their seatbelt on every journey, no matter how short.. Even if you are making stops over short distances don't be tempted to not wear your seatbelt.

Driving or riding at night

Darkness reduces your ability to judge and estimate speed and distance and to assess accurately the position of oncoming traffic. Also, your body naturally slows down at night, especially if you are driving when you would normally be asleep.

Look out for pedestrians or cyclists who may be more difficult to see. Approach pedestrian crossings at a lower speed, so that you can stop safely if necessary.



Use of handheld and hands-free mobile phones

Many of those driving or riding for the gig economy use a mobile app to accept work. However, it is vital that the application is used safely and does not become a distraction, whereby a driver or rider continually looks down at the phone to accept work or to follow directions to a job. Using a handheld or hands-free mobile phone while driving is a significant distraction, and substantially increases the risk of crashing.

It is illegal to use a handheld mobile phone while driving. This includes using the phone for calls, texts, emails, photos, to go online or for any other reason. The penalty for doing so is £200 fine and six penalty points. Although using a hands-free phone while driving is not specifically illegal, drivers who do so could be charged with 'failing to have proper control of their vehicle'. The penalty is a fine of up to £1,000, three penalty points and a discretionary disqualification.

Hands-free phones do not significantly reduce the risks because of the mental distraction of taking part in a phone conversation or glancing at the screen at the same time as driving. A hands-free phone can be used as a sat nav, but only while securely held in a cradle, with the route programmed before the journey. If the driver needs to input new directions, they should only do so when parked in a safe place, with the vehicle engine switched off. When accepting a 'job' via a mobile application, you will need to find somewhere to safely park to accept or reject the job.



Driving and Riding for Work in the Gig Economy

Accidents, breakdowns and emergencies

Your organisation should have procedures for emergencies, such as accidents or breakdowns. It is essential that you are familiar with, and follow, these procedures.

In the vehicle, keep copies of:

- The emergency procedures
- Contact details for the person(s) to whom you should report emergencies
- If applicable, contact details of the breakdown firm your organization uses and any reference numbers that you may need to quote
- Details of your motor insurance policy and contact details for your insurer

Make sure you have a fully charged mobile phone to summon help if necessary, but don't use it while driving.

Accidents

In the event of a collision:

- Stop. It is an offence not to stop, if your vehicle is involved and damage is caused to another vehicle or property or someone is injured
- Use your hazard warning lights and switch off your engine
- Call the emergency services immediately; provide them with information about the situation, any special circumstances and if any passengers have additional needs
- If the emergency services are called, stay at the scene until they allow you to leave
- Obtain the names and addresses of all independent witnesses (if possible)
- Ensure the vehicle is roadworthy before continuing the journey
- If there is any injury or the names of people involved are not exchanged, you must report the accident to the Police as soon as possible or in any case within 24 hours.



You should also record and report the accident to your employer. You may need to discuss the details with your employer at the next appropriate moment to ensure that lessons are learned to avoid it happening again, and if necessary, any risk assessments are updated.



Driving and Riding for Work in the Gig Economy

Breakdowns

In the event of a breakdown

- Move the vehicle off the carriageway (onto the hard shoulder or emergency refuge on a motorway) and switch on the hazard warning lights. If this is not possible, move it as far away from moving traffic as you can.
- Telephone the emergency services, or breakdown firm, giving them accurate details of the vehicle's location, and whether children or passengers with mobility problems are being carried.
- On a motorway, use the roadside emergency telephone if it is safe to do so as this will enable the Police to pinpoint your location.



Driving and Riding for Work in the Gig Economy

Best practice case studies

We are currently looking for best practice case studies from gig economy employers to be included in this guide. If you would like your organisation to be included in this guide, please contact RoSPA on by calling 0121 248 2149 or by emailing help@rospa.com and marking the email for the attention of the road safety team.





accidents don't have to happen

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