

# Staxton Hill Coach Crash

**The tragic price for neglecting occupational road risk duties...**

### What happened?

In September 2008, a coach carrying 45 children and parents to a marching band competition collided with a car at Staxton Hill near Scarborough.

A married couple from Rawmarsh were killed instantly when the out-of-control coach collided with their car after speeding through a red light at the bottom of the hill. Six coach passengers were taken to Scarborough hospital with minor injuries.

### Why did it happen?

The crash was a result of brake failure on the 20-year-old coach, as it began the steep descent down Staxton Hill.

It was found that the Staffordshire-based coach company, owned by the driver himself and a

business partner, had failed to fulfill its obligations regarding vehicle safety checks. The coach had not been kept in a road-worthy condition, and the braking system in particular had not been checked.

### The consequence

The coach driver and his business partner were both charged with manslaughter due to gross negligence. Also charged with causing death by dangerous driving, the coach driver was sentenced in November 2009 to five years and three months in prison. His business partner was given a three-year term.

Of course, the most tragic consequence is the deaths of two people, leaving their orphaned 16-year-old son behind.



## It could happen to you

Employers have clear duties under Health and Safety law to manage occupational road risk (ORR). If any employee has a crash whilst driving at work and as an employer you have not complied with legislation, you could be at risk of a hefty fine or prison term. In the case of a fatal crash, you could be charged with corporate manslaughter.

Anyone who operates a vehicle has a duty to take all reasonable precautions to ensure that it is operated safely.

It is an offence to permit a vehicle to be driven on the road when its condition could cause danger to anyone in the vehicle.



## The lessons to be learnt – employers

- Make sure you know the law
- Review your workplace policies and risk assessments and put procedures in place to ensure that work related journeys are as safe as possible, staff are fit and are competent to drive safely and the **vehicles used are fit for purpose and in a safe condition**
- Set clear rules and lead by example
- Create a culture and expectation of safe driving
- Raise awareness – as part of recruitment, training and staff appraisal
- Conduct training and assess driver competence
- Record and investigate crashes and incidents to prevent repeat occurrences

## The lessons to be learnt – employees

- Make sure you know the law
- Report to your line manager any road safety problems that you experience, including any problems or defects with the vehicle you are driving
- Present your licence for inspection, if requested by your line manager
- Co-operate with all monitoring, reporting and investigation procedures implemented by your employer
- Take responsibility. Road traffic law is concerned mainly with individual driver behaviour and the vehicle owner, so regardless of whether you are driving on company business, you can be prosecuted if you neglect your road safety responsibilities
- Ensure both you and your vehicle are prepared. Carry out regular checks using a checklist available from your manager

For details of your responsibilities, whether you are an employer or an employee, visit [www.drivingforwork.org.uk](http://www.drivingforwork.org.uk)

