

No. 231/2020

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Important points to consider before the use of your private car (vehicle) on Delivery

Dear Colleagues,

Further to the LTBs 160/20 and 162/20 regarding the use of Private Cars on Delivery.

There is a need to re-issue the following information which highlights the pit-falls if members choose to use their own private cars on delivery, against our advice. In particular, in light of the fact that Royal Mail have now effectively declared war on both the union and our members by declaring that they are pulling back from the USO obligations to deliver all products on Saturdays, impose unacceptable working arrangements and also wreck your attendance patterns and earnings potential. The clear advice that we want to stress is that our members should **NOT** use their private vehicles at work:

- Members participating in this 'Private Cars on Delivery' scheme will be exposed to a degree of risk, many not even appreciating the full extent of that risk until and if they fall foul of the rules and limits of the scheme.
- The Royal Mail cover under the 'Private Cars on Delivery' scheme only extends to the very basic 'third party liability' insurance only and will not cover, for example, any damage to the employee's vehicle or property or personal property damage, theft or losses.
- Members are best advised to obtain "Comprehensive Full Business Use Insurance Cover" which will obviously incur increased Motor Insurance premiums but of course they won't risk a total loss of their vehicle which may be worth thousands of pounds and won't be easily replaced.
- If a member who signs-up to 'Private Cars On Delivery' wants to go straight to their delivery route in their private vehicle rather than go into the Delivery Office first, the scheme is written as such that it will allow this. However, if they do this, the individual will not be travelling to/from the employees 'normal place of work' and so will not be covered by a standard 'Social Domestic and Pleasure' motor insurance which can extend to cover to/from work via a clause 'In Connection With Work'. Therefore, in these circumstances the member(s) would need 'Commercial Business Use Insurance Cover' – which Royal Mail is not offering or providing under their 'Private Cars on Delivery' scheme.
- Travelling to/from work will not be covered by the 'Private Cars on Delivery' scheme and participating members need to be aware of this. Neither will they be covered by Royal Mail's Employers' Liability (Compulsory Insurance) Act 1969 cover which under UK law is a requirement that employers carry insurance against the personal injury of their employees. Therefore, they must ensure that their own Insurance is valid for to/from work travel.
- From a safety perspective the roadworthiness of these vehicles is an obvious issue, the 'Private Cars on Delivery' scheme rules state that the private vehicle must be in a roadworthy condition and fit for purpose, and the daily/pre-use vehicle checks required when using an RM vehicle must be undertaken AND this must be monitored by managers in line with current processes. However, if a member drives straight to their delivery route, as suggested they can, in the 'Private Cars on Delivery' scheme brief, without visiting the Delivery Office, then the vehicle cannot be checked by the manager. Members must ensure that daily checks are completed it is **your responsibility**.
- Those members participating in the 'Private Cars on Delivery' scheme need to understand that they are obliged to notify their own motor insurers of any accident they have, even if the Royal Mail Insurers (American International Group UK Ltd – 'AIG') indemnify them.

Failure to do so could invalidate their own motor insurance at a later date. An accident may not affect their 'No Claims Discount' (NCD) Bonus but it will affect their record and therefore the Insurance Company's assessment of risk. Depending on that risk assessment, it could increase subsequent premiums. Royal Mail cannot provide any guarantee in respect of the way a private motor insurer operates.

- Members need to be aware that they MUST inform and clear it with their own Motor Insurers that they are participating in the employers 'Private Cars on Delivery' scheme.
- Members also need to be aware that in the event of a 'non-blameworthy' accident they will have to conduct a claim against the third party themselves, who may or may not be insured. Royal Mail will not help them in any way. These processes can sometimes be difficult if liability is disputed. If the driver is uninsured or untraced then the member will have to deal with the 'Motor Insurers Bureau'.
- The rules of the 'Private Cars on Delivery' scheme are (obviously) that they don't carry passengers (colleagues) and don't carry Mail but that they collect the mail from a Royal Mail van. Members therefore need to understand that if they decide locally to 'shortcut' the scheme and carry either passengers or mail, they could invalidate insurance cover and be held personally liable for any personal injury to passengers in the event of an accident.
- There is no 'breakdown cover' provided under the 'Private Cars on Delivery' scheme and members need to ensure they have their own cover.
- Motorcycles, Motor scooters and Electric Scooters are excluded from the 'Private Cars on Delivery' scheme.
- The 'Private Cars on Delivery' scheme is 'voluntary' and members can withdraw from it at any time.
- Only recognised Royal Mail Drivers can participate, it excludes those removed from driving or those excluded on medical grounds and these rules must be properly applied. There were cases of non-compliance with this under the old 'Private Cars on Delivery' scheme.
- Finally, members who unfortunately get it wrong – thinking they are covered when they are not can face a Fixed Penalty of £300, plus Six Penalty Points on their Drivers Licence and a £150 Tow Away Fee plus £20 a day storage. Under the old 'Private Cars on Delivery' scheme a number of our members found themselves in this position. Therefore those participating need to ensure they are fully compliant and aware of the above points.

Any enquires as to the content of this LTB should be directed to the Outdoor Department, email address: outdoorsecretary@cwu.org.

Yours sincerely,



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