



AVRO News

Association of Vehicle Recovery Operators

Issue 30

January 2016

Welcome to our new members:

R1: J T Cormack, Wick, Caithness

R11: Boarhunt Group Ltd, Fareham, Hampshire

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FIND A TOW website

After recent news stories highlighting private motorists being placed in danger at the roadside, recovery clubs struggling to find operators and vehicle owners being taken advantage of because of their vulnerable breakdown situation, the AVRO Council came up with the idea of "Findatow.co.uk", the United Kingdom's only approved list of professional recovery operators where every operator is trained, insured and professionally audited to meet strict guidelines.

FIND A TOW is being launched as a pay-as-you-tow service, where the customer deals direct with the recovery operator. The more Findatow.co.uk is promoted, the more the recovery operator benefits. This is the first stage of the website, with upgrades and apps being added as it is advertised and rolled out across the UK and Europe in the coming months.

AVRO wanted to take the risk out of searching the internet or phone book to find a recovery operator. The website is aimed at the private motorist, recovery clubs and fleet customers who need to find professionals to recover their vehicles in a

reasonable time and at a fair cost. Another advantage is that recovery operators can recommend the *FIND A TOW* directory for people to search on, if looking for services in another area of the country.

The *FIND A TOW* site is the first stage of interesting developments AVRO has to promote its member services. *FIND A TOW* is for AVRO members only and members will have a listing in their geographic area, where people will be able to locate the nearest operator. On their profile they will be able to display pictures, create company profiles, add certificates and add website and social media links. A Google add words package is being taken out to advertise operator services in their area, saving operators online advertising costs. Every recovery operator, small or large, will be on the same playing field on the site depending on location and service.

A Code of Conduct for operators will be sent out soon to operators working with *FIND A TOW* and details of how to forward content for their profiles.

A new interactive AVRO website is nearly completed and will bring many benefits to the recovery operator. An online shop and technical sections are just a few of the new areas on the site.



Prices from Fuelmate



W/C 25th January

Esso	: 80.49 ppl Excl VAT
BP Bunker	: 80.42 ppl Excl VAT
Shell	: 81.16 ppl Excl VAT
Texaco	: 80.16 ppl Excl VAT
UK Fuels	: 79.68 ppl Excl VAT
Keyfuels	: 79.96 ppl Excl VAT

W/C 18th January

Esso	: 81.66 ppl Excl VAT
BP Bunker	: 81.59 ppl Excl VAT
Shell	: 82.33 ppl Excl VAT
Texaco	: 81.33 ppl Excl VAT
UK Fuels	: 81.17 ppl Excl VAT
Keyfuels	: 82.05 ppl Excl VAT

For further details, or to obtain a fuel card please contact:

Tracey Easton
 T: 01482 387777
 F: 01482 338591
 E: tracey.easton@fuelmate.co.uk
 W: www.fuelmate.co.uk
 Witham House, 45 Spyvee Street, Hull HU8 7JR

fuelmate

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MOT exemptions questioned after crane death

Company convicted for corporate manslaughter following accident involving failed braking system.

a crane hire company was fined £700,000 following the death of a driver.

MOT exemptions have been called into question after

To read the full article, please go to www.commercialfleet.org



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Safety alert

Incident description:

An incident occurred recently within a CPS depot—an operative was unloading a vehicle and the safety hand railing gave way. Fortunately there was no injury.

Investigation/findings:

Possible cause: The handrail was connected to the wooden floor of the vehicle and this has degraded over time.

Some of our current fleet will be replaced in the future as they are now reaching the end of their lease.

During vehicle checks over the next few months please pay additional attention to other safety features not listed on the daily check sheet -

For example - (but not limited to)

- ◇ Hand rail systems
- ◇ Any associated fittings

- ◇ Under slung bed toolboxes
- ◇ Doors and roller shutters
- ◇ Hinges on tail gates etc.
- ◇ Conditions of bed (trip hazards)
- ◇ Any other equipment associated with the vehicle or its operation

Please report any issues to your supervisor and raise Don't Walk By's

Further information:

For more information about this incident please contact Liz Braithwaite - Health & Safety on 07710 395454

Elizabeth.Braithwaite@highwaysengland.co.uk



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Changes to Driver CPC exemptions to come in this month

The DfT is to further relax exemptions to the Driver CPC rules for those whose main activity does not require driving an HGV, bringing the UK into line with EU regulations.

The amended regulations also allow drivers to use a truck with an automatic gearbox when taking a Driver CPC practical test, and will come into effect on 25 January.

The DfT is extending the radius a vehicle can be driven without the driver holding a Driver CPC from 50km to 100km, provided the vehicle is unladen and

is driven by a person who only drives trucks from “time to time”, such as a valet or mechanic. This aligns UK law with the EU, which introduced the increased distance limit in 2014.

Since 2013 such drivers have been exempt from the requirement to hold a Driver CPC, provided they drive the vehicle no more than 50km and carry only the equipment needed to carry out their work. The DfT said this limit was originally selected to be consistent with the exemption from drivers’ hours rules, but this was extended to 100km last March.

The requirement for vehicles used in a Driver CPC practical test to have a minimum of eight forward gears has also been removed by the amendment, which was laid before parliament in December.

*Article courtesy of Commercial Motor—
www.commercialmotor.com*



Commercial Motor



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Training and who can train

PAS 43 was introduced to promote safety within the vehicle recovery industry and statistics would tend to show that it has been very successful in achieving its goals.

Annex 'C' sets out training requirements for recovery operators.

This states that training must be based on the National Occupational Standards (NOS) published by IMI and thereby ensuring standardisation of training nationwide.

The annex continues to state that technicians must have 3 basic modules before being trained in Light, Heavy or Motorcycle recovery. These three modules are:

- a) Basic Health & Safety
- b) Customer Service
- c) Assessment of Roadside Situations

The structure of training which will meet the NOS for these three modules and those for light, heavy, coach and motorcycle recovery is readily available on the NOS website.

The question now is WHO CAN TRAIN?

It goes without any further discussion that the trainer must have experience in the recovery industry. Also the training must be structured in line with theoretical and practical testing included in the curriculum. What also is important is that participants must be given the opportunity to give feedback on any training.

All employers, irrespective of the industry they are in, have a duty of care under Health & Safety legislation to ensure personnel are trained in the procedures and equipment they use. Failure to ensure this can be costly for an organisation / company if any breach is found.

In relation to PAS43:2015

Clause 9.6

The competence of technicians shall be the responsibility of the employer.

NOTE 1 The "employer" may include any person in the management chain as well as the organisation.

NOTE 2 Competence requires sufficient training and relevant

experience (assessed) to enable technicians to carry out their activities safely.

There is no escape for Recovery Operators from this requirement and they, as employers, must fully accept responsibility for the competency of their employees and it is the responsible person within the organisation who will be held accountable.

The responsible person will be the owner, managing director or any other manager who understands the responsibility and has accepted it.

Therefore, he must be fully satisfied that any employee sent out by him as a representative of the company must be fully competent to conduct his duties safely and efficiently.

As the responsible person will be held personally accountable for the actions or omissions of his employee, he must take account of the level of training given and may well decide, depending on his own level of experience, to carry out the training himself.

To further his competency, he may consider attending a Train the Trainer Course which will give him an insight into conveying information and reviewing results. (He may be the best recovery operator in the country but lacks the skills to convey his message: or not, as the case may be. Again, he has the responsibility to make that decision). There are numerous adult training establishments who offer such advice.

Clause 10.1

General

Management shall identify its legal duties with respect to the training of its employees and legislation relevant to working safely at the roadside.

(Recovery Operators must identify the responsible person—above)

Clause 10.2.1

Management shall ensure that training and competency skills for technicians shall be provided by a scheme traceable to the NOS (see Tables **C1 to C6**). Documented evidence of the training material review against the NOS shall be maintained.

*(All information is freely available:
<http://nos.ukces.org.uk>)*

Training and who can train cont'd

The training programme shall be delivered by a suitably qualified person(s) [the competent trainer(s)].

NOTE 1 *The competent trainer takes on shared responsibility with the employer for the standard of training given and for the keeping of records.*

Records shall be retained to demonstrate that training has been delivered. Such records shall detail training courses attended including dates attended, course duration, trainer's name, pass, fail or referred, as applicable. Auditable proof of training shall be available upon request for examination during certification/inspection body assessments.

NOTE 2 *Where such an individual is not available in-house, external support services that can provide trainer training or deliver training to staff on behalf of the employer is available.*

At the end of each training course/session there shall be an opportunity for feedback, questions and interactive discussion on any aspect of the course content.

Technician training shall include an assessment of the understanding and competence of those attending.

Records of competency shall be maintained.

(Retention of all training course materials)

PAS43:2015 Further gives an insight into the minimum safety requirements at **Clauses 10.2.4, 10.2.5 and 10.3.**

In relation to NHSS 17

Vehicle Roadside Technician

The entry level to training set out in this SSD, is an individual who has successfully completed an induction programme (**based upon modules VR 01 - VR 03**) and meets the assessment requirements specified in paragraph 3.3 of the accreditation scheme.

Appendix C

2 Training

2.1 General

The training and competency requirements are based on the recommendations/requirements in

Annex C of PAS 43. Under the auspices of the SSACVR this requirement has been expanded and developed into the National Training and Accreditation Scheme recognised as the national training and competency requirements that technicians and their employers need to comply with for this National Highway Sector Scheme. The national training committee has reviewed the requirements and has provided the following guidance regarding the minimum compatible qualification requirements for technicians to operate recovery equipment. Details of these requirements are given below and in Appendix C1.

So, if PAS43 training requirements are the benchmark and satisfactory for all roads in the country, does the Highways Agency have the authority to promote the monopoly position that appears to exist in NHSS17?

The HSE are clear with their guidance for training provision for every type of industry across the country (including Vehicle Recovery).

All those providing training on the use of any work equipment should be sufficiently skilled and competent. The degree of skill, knowledge and competence to do so will depend on many factors, including the nature of the work equipment and the risks it poses.

Employers will need to establish what training is appropriate in each particular circumstance; for example the relevant trade association may be able to advise and have training schemes in place for some work activities. For many areas, industry-recognised, externally-provided training on the use of work equipment (eg for the operation of construction plant) is available from a wide range of organisations. **However, as long as training is provided competently and to the standard necessary to ensure health and safety, there is no bar to training being given, even by competent in-house staff.**

In these cases, it is desirable that those providing the training have some skill and aptitude to undertake training, with sufficient industrial experience and knowledge of the working environment to put their instruction in context. They should also have the ability to assess the skills attained.

Training and who can train cont'd

The above and the foregoing are clear and self explanatory, the highlighted phrase in particular reinforces the fact that **any competent person** can deliver. Companies must have freedom of choice in relation to service delivery of training and not be restricted to one body as previously stated. The acid test is whether the training given is sufficient to meet the needs of NOS requirements.

In conclusion, as long as training is structured in line with NOS, and evidence of content of training

accompanied by test results and continuous assessments is available then in our opinion and, as stated previously, satisfies Health & Safety requirements, it meets the standard.

Indeed one might say that the main body of PAS43 contains the majority of the information needed to design and implement a training programme.

Article provided by David Holmes, RIES

Petition New Law to protect and provide safer working conditions for recovery operators

Recovery operators have one of the most dangerous jobs when working on the side of a road either repairing and/or recovering broken down vehicles, especially on the side of motorways.

A similar law to that in America is required so that when motorists see amber flashing lights on the motorways and dual carriageways, they have to move over to another lane to provide recovery operators safer working areas, to try and prevent further injuries

and deaths within the recovery industry.

Remember the RAC guy who was in the refuge area loading up a vehicle to his compact recovery trailer and was critically injured when a truck swerved and ran him over! We need to have safer areas!

The petition is on the avro facebook page, or you can go to the following link:

<https://petition.parliament.uk/petitions/118883>



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Tax saving strategies to implement before the 5 April year end

Implementing some key financial planning strategies ahead of the year end on 5 April will help to ensure that both your business and personal finances are as tax-efficient as possible. Here we review some of the planning strategies that could be utilised before 6 April 2016.

Making use of personal allowances

Each individual has their own tax-free personal allowance for income tax purposes. For 2015/16, this is set at £10,600 for those born after 5 April 1938, and £10,660 for those born before 6 April 1938. If a spouse or partner has little or no income, it may be useful to transfer income or income-producing assets to them, to make the most of their personal allowance. It is important to bear in mind the settlements legislation governing 'income shifting' as well as the legal implications of transfers.

You should also be aware the 'hidden' income tax rate. In 2015/16, the 40% rate of tax begins when your taxable income exceeds £31,785. However, personal allowances are clawed back by £1 for every £2 by which your adjusted net income exceeds £100,000, leaving you open to an effective tax rate of 60%! A number of strategies may allow you to reduce your taxable income for 2015/16, such as delaying income into the next tax year, or increasing pension payments.

Taking advantage of tax-efficient savings

You have until 5 April 2016 to make your 2015/16 ISA investment. Adult savers may invest in a combination of cash or stocks and shares up to the overall annual subscription limit of £15,240 for 2015/16. Individuals may only pay into a maximum of one Cash ISA and one Stocks and Shares ISA each year.

Extracting profit from your business

The decision of whether to take a salary or bonus, rather than a dividend, requires careful consideration. Currently, a dividend is paid free of national insurance contributions (NICs), while a salary or bonus can carry up to 25.8% in combined employer and employee contributions. However, a salary or bonus is generally tax deductible for the company, unlike dividends. With landmark new rules applying to dividend taxation with effect from April 2016, you may wish to consider increasing your dividends before 6 April 2016, although there may be other tax issues to consider, such as loss of the personal tax allowance if your total 'adjusted net income' exceeds £100,000.

*Article courtesy of Newby Castleman
www.newbycastleman.co.uk*