CLOCS Guide

Managing work related road risk in contracts

CLOCS

Looking out for vulnerable road users

Construction Logistics and Cyclist Safety (CLOCS) - looking out for vulnerable road users

CLOCS aims to achieve a visionary change in the way the construction industry manages work related road risk. This is being achieved through three industry led workstreams:

- Improving vehicle safety through design and manufacture of safer new vehicles and fitment of appropriate safety equipment to existing vehicles
- Addressing the safety imbalance in the construction industry through ensuring road safety is considered as important as health and safety on site
- Encouraging wider adoption of best practice across the construction logistics industry through taking best in class examples, developing a common national standard and embedding a new cultural norm

CLOCS has developed the *CLOCS Standard for construction logistics: Managing work related road risk*, a common standard for use by the construction logistics industry.

Implemented by construction clients through contracts, it provides a framework that enables ownership in managing road risk which can be adhered to in a consistent way by fleet operators.

Representatives from different organisations - vehicle manufacturers, construction logistics clients, operators, regulatory and enforcement bodies are actively engaged with CLOCS.

The CLOCS programme represents a united response to road safety across the industry and greater social responsibility which will save lives.

Visit www.clocs.org.uk for further information.

Acknowledgements

The *CLOCS Guide - Managing work related road risk in contracts* has been developed in collaboration with industry stakeholders.

The expert contributions made from organisations and individuals consulted in the development of this guide are gratefully acknowledged.

The supplementary guide will be reviewed at intervals not exceeding two years, and any amendments arising from its review will be published in an amended version. Users are responsible for the correct application of the information provided in this guide.

Version 1.0 July 2014

Contents

Terminology

Certain terms are used within the *CLOCS Standard* and in this guide.

In the *CLOCS Standard*'s requirement:

- **Shall** – indicates something which is mandatory as part of the requirement, or in order to achieve the requirement
- **Should** – indicates something which is recommended as emerging practice
- **May** – indicates permission or an emerging practice option

Client – an organisation employing suppliers. This may be a developer employing a principal contractor or a principal contractor employing a sub-contractor

CLOCS Standard for construction logistics – the work related road risk (WRRR) requirements that must be met by the supplier as defined in the contract terms and conditions

Compliance checks / monitoring – a mixture of desk-top, site and supplier checks, covering the organisation the vehicles and drivers to ensure that suppliers are complying with the requirements of the *CLOCS Standard* for construction logistics

Contract compliance – to comply with the terms of the contract

Fleet operator – any organisation or part thereof which operates one or more vehicle(s)

Fleet Operator Recognition Scheme (FORS) - the recognition scheme referred to in this document and described in the *CLOCS Standard* for construction logistics: Managing work related road risk(WRRR), which is a fleet operations accreditation scheme

Relevant contract – a contract to which the *CLOCS Standard* applies

Vulnerable road user (VRU) – primarily a pedestrian, cyclist, motorcyclist or person of reduced mobility

Introduction

1.1 Purpose of this guide

This guide is designed to help procurement and contract managers to play an effective role in managing work related road risk (WRRR) and improving road safety in the construction logistics industry.

This guide will help you to include the *CLOCS Standard for construction logistics: Managing work related road risk* into your contracts, enabling you to use the procurement process to insist that your suppliers have appropriate policies and procedures in place to encourage safe vehicle operations and driving practices.

Furthermore, these policies can be cascaded throughout the supply chain to ensure that all drivers and vehicles operating on behalf of your organisation comply with the same policies that manage work related road risk.

For further information:

- CLOCS Standard for construction logistics: Managing work related road risk

The CLOCS Standard for construction logistics sets out a series of individual requirements for logistic operators and construction clients. Each requirement is designed to reduce the risk of a collision with a vulnerable road user (VRU). Including the Standard in your contracts will help you to manage WRRR.

1.2 Who should read this guide?

This guide is for procurement and contract managers working in construction sector client and principal contractor organisations responsible for procuring goods and / or services that will be delivered to sites using commercial vehicles.

1.3 How do I get started?

The first step is to read through the *CLOCS Standard* and this guide. Reading the *CLOCS Standard* will give you an understanding of the scope of the Standard and each of the WRRR requirements.

This guide tells you how to develop a strategy to include the *CLOCS Standard's* WRRR requirements into new and existing contracts and importantly, how to communicate your intentions to your suppliers.

CLOCS Standard for construction logistics - Section 2.1 Applicability

Scope

Applicable to all commercial vehicles delivering to, collecting from or servicing a project, premises or property where this standard applies unless otherwise indicated by the client.

All fleet operators serving contracts resulting in the use of vehicles for delivery and servicing activities are included in the scope of this standard unless otherwise indicated by the client.

All fleet operators shall comply with the standard in the timeframe instructed by the client in agreeing the contract. This shall not be more than 90 days from the start of a contract unless special circumstances apply.

This document applies to commercial vehicles ranging from vans over 3.5 tonnes gross vehicle weight to articulated vehicles over 44 tonnes gross vehicle weight, including abnormal indivisible loads and engineering plant.

Demonstration

Clients shall specify whether the *CLOCS Standard* applies within contracts based on their assessment of risk. The client will determine, within their own contracts, whether this standard:

- Applies to all vehicles or vehicles over 3.5 tonnes gross vehicle weight only
- Applies to non-construction vehicles such as those providing additional services (e.g. catering)

You should first draw up a list of all your contracts that involve delivering to or servicing a site and identify which ones the *CLOCS Standard* applies to. The *CLOCS Standard* is applicable to all commercial vehicles delivering to, collecting from or servicing a project, premises or property unless otherwise indicated by the client. However, it is up to the client, based on their assessment of risk, to determine within their own contracts the exact scope, in particular in terms of the range of vehicles and type of delivery activities covered.

Section 2 of the *CLOCS Standard* sets out the applicability and exemptions. You should review contracts based on an assessment of risk and determine whether the *CLOCS Standard* applies. This is covered in more detail in section 3 of this guide.

Once you understand how many and which contracts will be affected, you can begin developing your strategy for introducing the *CLOCS Standard* into your contracts.

1.4 Improving WRRR and protecting your company's reputation

As major procurers of goods and services for maintenance and construction projects, property developers, construction sector clients and public sector bodies are in a powerful position to bring about a step change in improving the safety of vulnerable road users.

You have the opportunity to influence WRRR throughout your supply chain and take the lead on corporate social responsibility by implementing the requirements of the *CLOCS Standard* into your new and existing contracts. In some organisations, the link between the core activity and WRRR is not made. Introducing the *CLOCS Standard* as a common approach to managing WRRR, bridges this gap between core activity and road risk.

In addition to the need to improve WRRR, there is a significant reputational risk if your organisation is connected with a commercial vehicle involved in a collision with a VRU. This impact is will be more severe if all reasonable steps to minimise the risk of that collision had not been taken.

The reasonable steps that you can take to reduce the risk of collision by your suppliers include using the procurement process to embed the *CLOCS Standard*'s WRRR requirements into your contracts. The *CLOCS Standard* sets out a series of WRRR safety requirements enabling those operating commercial vehicles to demonstrate that they meet best practice.

1.5 How can my suppliers benefit from the *CLOCS Standard*?

Many construction sector clients and developers are already adopting the *CLOCS Standard* and approach to managing WRRR. Their clients, operators and wider stakeholders are reacting positively to this consistent approach. With the public becoming more aware of the cycle and wider road safety agenda, organisations are recognising the opportunities from implementing the *CLOCS Standard*. To be embedding, and seen to be embedding, road safety is a significant and positive public relations message.

Promoting a culture of road safety which includes a programme of targeted driver training can also have significant benefits in terms of vehicle running costs and, importantly, benefits for driver health, well-being and staff retention.

For many operators there is little connection made between the quality of transport provision and the costs of damage and insurance. Most insurers will consider an operator's claim history when setting premiums and most are prepared to offer discounts for operators that have invested time and effort into schemes such as FORS.

Fitting audible or visual warning sensors to vehicles improves safety, but also has the additional benefit of helping to minimise small scale damage that occurs when large vehicles manoeuvre in small spaces. Cameras can also be used to give an operator vital evidence which helps to prove or disprove a claim against them.

Under the Corporate Manslaughter and Corporate Homicide Act 2007, if an operator is found to be grossly negligent with regard to a road safety incident then the company or organisation can be found guilty of corporate manslaughter as a result of serious management failures resulting in a gross breach of a duty of care.

Gross Negligence Manslaughter enables the prosecution of individuals where it can be proven that death has been caused through a gross breach of duty of care. Penalties range from large fines to imprisonment.

Including the CLOCS Standard in your procurement strategy

2.1 The CLOCS Standard's requirements

Table 2.1 outlines the *CLOCS Standard*'s requirements that should be used to form the basis for your new contracts and amendments to existing contracts. This table sets out the requirement and its purpose.

Table 2.1: CLOCS Standard for construction logistics requirements

Requirement	Purpose
Operations 3.1.1 Quality operation Fleet operators shall ensure the transport operation meets the standard of an approved independent fleet management audit	Demonstrates a baseline level of compliance against all regulatory requirements relevant to the road transport operation
3.1.2 Collision reporting Fleet operators shall capture, investigate and analyse road traffic collision information that results in injury or damage to vehicles and property. All collisions shall be reported to their client or contracting entity	To create transparency in the supply chain and enable fleet operators and clients to work together to mitigate the risk of road traffic collisions and prevent re-occurrence
3.1.3 Traffic routing Fleet operators shall ensure that any vehicle routes to sites or premises specified by clients are adhered to unless directed otherwise	To reduce the probability of collisions on routes to and from sites and premises

Requirement	Purpose
Vehicles 3.2.1 Warning signage Fleet operators shall ensure that prominent signage is fitted to all vehicles over 3.5 tonnes gross vehicle weight that visually warns other road users not to get too close to the vehicle	To reduce the risk of close proximity incidents and increase road safety
3.2.2 Side under-run protection Fleet operators shall ensure fitment of side-guards to all rigid mixer, tipper and waste type vehicles over 3.5 tonnes gross vehicle weight that are currently exempt from fitment	To minimise the probability and severity of under-run collisions with vulnerable road users
3.2.3 Blind-spot minimisation Fleet operators shall ensure all vehicles over 3.5 tonnes gross vehicle weight have front, side and rear blind-spots completely eliminated or minimised as far as is practical and possible through a combination of fully operational direct and indirect vision aids and driver audible alerts	To improve visibility for drivers and reduce the risk of close proximity blindspot collisions
3.2.4 Vehicle manoeuvring warnings Fleet operators shall ensure all vehicles over 3.5 tonnes gross vehicle weight are equipped with enhanced audible means to warn other road users of a vehicle's left manoeuvre	To reduce the risk of close proximity collisions by audibly alerting vulnerable road users to vehicle hazards

Requirement	Purpose
Drivers 3.3.1 Training and development Fleet operators shall ensure that all drivers (including those exempt or not in scope of Driver Certificate of Professional Competence) undergo approved progressive training and continued professional development specifically covering the safety of vulnerable road users	To ensure that all drivers have the knowledge, skills and attitude required to recognise, assess, manage and reduce the risks that their vehicle poses to vulnerable road users
3.3.2 Driver licensing Fleet operators shall ensure that a system is in place to ensure all drivers hold a valid licence for the category of vehicle they are tasked to drive and any risks associated with endorsements or restriction codes are effectively managed	To ensure that all drivers employed by the company hold a valid licence and any risks presented through an accumulation of endorsements are effectively monitored and managed

For further information:

- www.clocs.org.uk
- CLOCS Guide - Managing driver training and licensing
- CLOCS Guide - Vehicle safety equipment
- FORS - Discounts on safety equipment and training

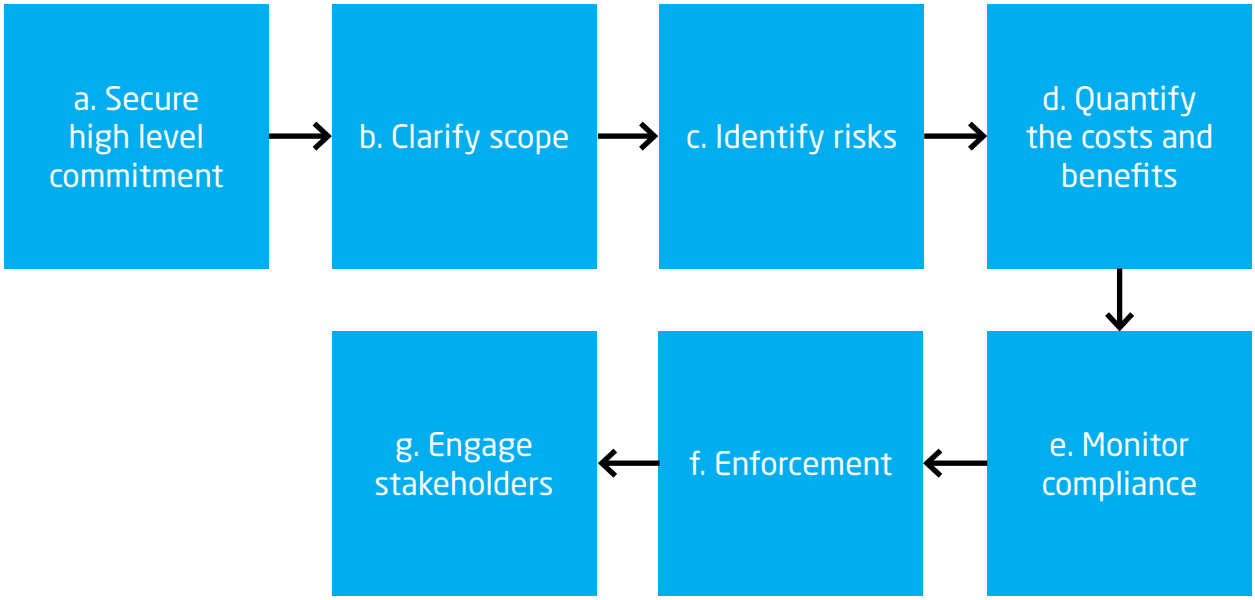
The diagram in figure 3.1 depicts the *CLOCS Standard* compliance elements required for both the driver and the vehicle.

Figure 3.1: CLOCS Standard compliant driver and vehicle

2.2 A step by step approach

Figure 2.1 shows the steps you need to take to ensure that the *CLOCS Standard* for construction logistics is successfully embedded in your organisation's procurement process.

Figure 2.1: Key steps in implementing the CLOCS Standard for construction logistics



a. Secure high level commitment

It is important to secure high level commitment from within your organisation in the form of a project sponsor. To secure support it is likely you will need to identify the scale and cost of the work to be undertaken, the potential benefit to the organisation, the risks involved in taking action and the risk of not taking action.

Clarify scope

i. Clarify existing approach

Your organisation's wider safety strategy should be reviewed to identify how WRRR and VRU considerations are addressed. For example, WRRR may be addressed in the way your organisation selects its suppliers.

If necessary, and once your WRRR plans have been identified, your safety strategy or policy should be updated to explicitly state your organisation's approach to WRRR and to include the requirements of the *CLOCS Standard*.

ii. Clarify contract type

It is important to know the number and types of contract that will be affected. This should include all contracts directly or indirectly using commercial vehicles. Crucially, you need to decide whether existing contracts as well as new contracts will be varied to include the *CLOCS Standard*.

Introducing the *CLOCS Standard* for both existing and new contracts sends out a consistent message to your suppliers.

However, varying existing contracts will require more work and potentially run the risk of invoking compensation events or having claims submitted for additional costs (see section 3.3).

iii. Clarify contract details

In order to assess the amount of work to be undertaken, it is recommended that you hold a central register of contracts including contract values and start and end dates. If this doesn't exist, you may need to research existing contracts and compile the register and this will need to be included in the initial scope of work. If existing contracts are to be varied, it is important to know which contracts involve the use of a commercial vehicle.

iv. Clarify contractual requirements

It is important to understand the requirements which are to be introduced. The *CLOCS Standard* sets out set of reasonable and practical requirements that can be taken to manage WRRR. The requirements are set out to cover operations, vehicles and drivers.

As both safety products and our understanding develop, the *CLOCS Standard* will be periodically reviewed and updated by the CLOCS working group.

At this stage you should also consider whether your organisation or project has any other requirements that need to be introduced in addition to the *CLOCS Standard*. For example, you may have training specific to the site requirements of your project.

v. Identify key people

You should identify early on who will need to be involved in the project. This will help to identify who the sponsor will need to be in order to elicit cross-department support.

The procurement team may have a number of contract managers and commercial specialists, each with specific responsibilities for new and existing contracts and there may be a legal team specifically responsible for making changes to the forms of contract.

vi. Legal support

When identifying the key people it will become clear when a legal team should be involved in drafting changes to standard clauses, works instructions or contract variations. The legal team may also wish to review any communications with contracted suppliers, should changes to existing contracts be planned.

b. Identify risks

The risk of not taking action on WRRR needs to be identified. For example, assess what the impact would be to your organisation if one of your contractors was involved in a fatal collision. This assessment should include reputational risk, loss of business and loss of customers.

The risks that are envisaged as part of the process of implementing the *CLOCS Standard* through the procurement approach should be set out. These may include programme risk due to unforeseen delays when identifying existing contracts or in agreeing standard wording to be used. An appropriate risk mitigation plan should be identified.

c. Quantify the costs and benefits

i. Consider the costs and benefits

Where possible consider the costs and benefits of the changes you wish to include – how can the financial benefits of risk reduction be quantified and what are the other non-financial benefits to your organisation of managing WRRR. For example, how would this impact on your business insurance? Can you generate any positive PR based on your approach to work related road risk?

It may be helpful to find out what similar organisations are doing. There may be efficiencies to be gained through shared procurement of services; this may also be beneficial for the contractor as they can reduce costs through larger vehicle fleets.

ii. Align with other priorities

Think about how these changes can be aligned with other priorities within your organisation such as carbon reduction or air quality. Speak to the relevant teams and try to quantify the benefits.

d. Monitor compliance

The introduction of the *CLOCS Standard* by itself, will not address WRRR. Contracts need to be monitored to ensure the requirements have been adopted, implemented and used to improve performance. You will need to carry out compliance monitoring to ensure the planned delivery happens with the correct operator, driver and vehicle meeting the requirements of the *CLOCS Standard*.

For further information:

- CLOCS Guide - Managing supplier compliance
- Work Related Road Risk requirements: Managing contract compliance

e. Enforcement

Without enforcement, contract compliance will not be achieved. It is recommended that appropriate sanctions should be included in contracts where deliveries made by non-compliant vehicles, drivers or fleet practices, are refused delivery or turned away from site.

f. Stakeholder engagement

Before implementing and rolling out any new or changed procurement procedures, it is important to firstly communicate effectively to stakeholders. This should include what the changes will be, how the changes will be implemented, what part they have to play, how the changes will affect them and, most importantly, how to get their buy-in and support.

The earlier you can engage those who will be affected, the better and it is important to consider internal personnel as well as the more obvious external suppliers / suppliers. Ensuring that any interested or affected parties within your organisation are on board from the early stages will avoid further issues later when they may be more difficult to resolve.

The sooner you engage with your existing or potential suppliers, the more time they have to adjust their operations, procure and fit safety equipment and train their drivers. Their feedback at this stage may play a key part in shaping your procurement plan.

The *CLOCS Standard* requires fleet operators to comply with its requirements within a timeframe specified by you as the client but no longer than 90 days from the contract start date. Be realistic in your timeframe, for example, if your contractors need to order and fit vehicle safety equipment then stipulating within 30 days of the contract start may not be feasible.

For further information:

- CLOCS Standard for construction logistics: Section 2.1 Applicability

Implementing your procurement strategy

3.1 Reviewing and updating your contracts

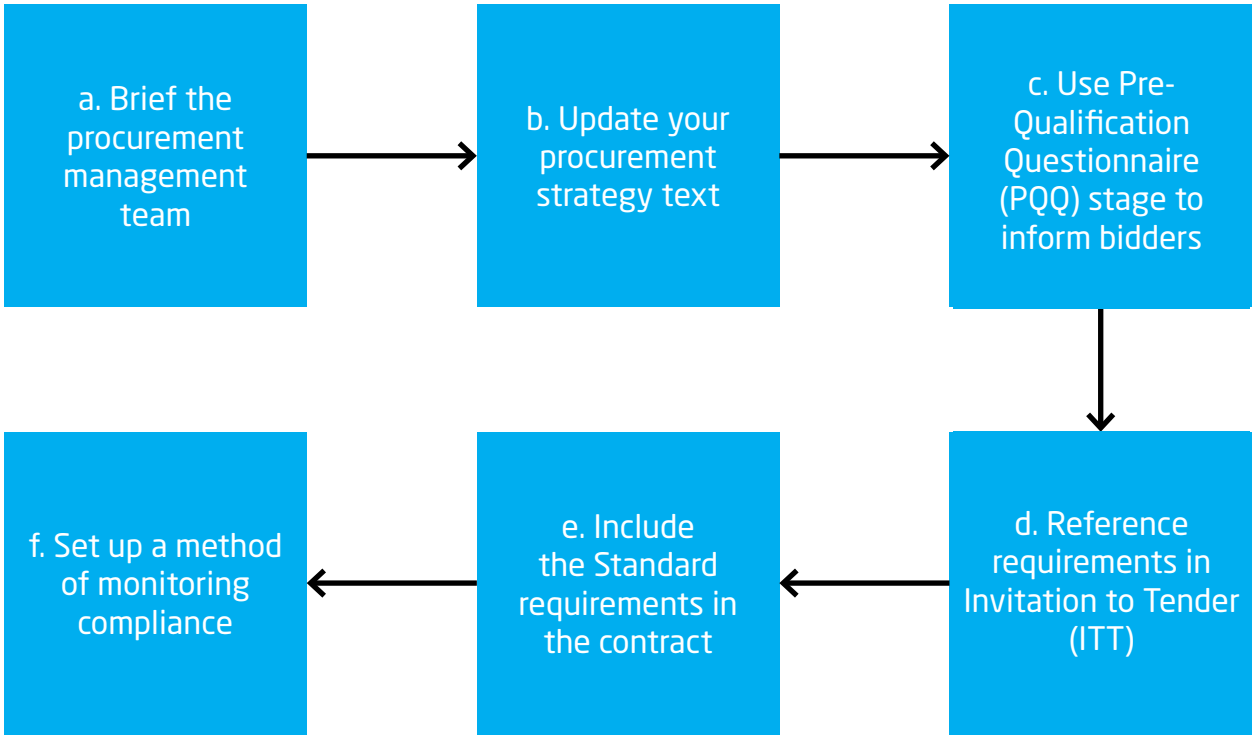
Once you have agreed your procurement strategy you need to begin the process of reviewing and updating your contracts.

This section explains the process of implementing the *CLOCS Standard for construction logistics* in both new and existing contracts.

3.2 New contracts

The aim should be to include the *CLOCS Standard* within your initial procurement strategy and then make sure they have been incorporated within your organisation's core procurement Contract for Services and/or your Purchase Order Conditions of Contract or equivalent. The process of including the *CLOCS Standard* into your new contracts is set out in figure 3.1.

Figure 3.1: Process for including the CLOCS Standard in new contracts



a. Brief the procurement management team

At the strategy stage, the person responsible for delivering the project should brief the procurement management team on the context behind the *CLOCS Standard*, its benefits and its requirements and clearly communicate what the requirements are and what the impacts of implementing them will be on the contract.

b. Update your procurement strategy

State that 'all contracts requiring delivery and servicing activity by road will include compliance with the requirements of the *CLOCS Standard for construction logistics*'.

c. Use the Pre-Qualification Questionnaire (PQQ) stage to inform bidders

Using the PQQ process will ensure that potential bidders are aware of the requirements at an early stage. A statement similar to the following should be included in the PQQ:

'[ORGANISATION NAME] aims to promote safe, sustainable freight activity within [ORGANISATION NAME]'s supply chain and in vehicle movements to and from our projects and sites. You are asked to comply with the *CLOCS Standard for construction logistics* as part of your contractual requirements on this project and to ensure that any third party transport providers used to deliver this contract also comply with the *CLOCS Standard*'.

You should include this as a 'pass / fail' question at this stage in the procurement process.

d. Reference requirements in the Invitation to Tender (ITT)

Ensure the ITT includes reference to the *CLOCS Standard*, for example:

'Specific requirements relating to the *CLOCS Standard for construction logistics: Managing work related road risk* will be specified in the works information or as a condition of contract'. A statement similar to the following should be included in the ITT:

'The *CLOCS Standard for construction logistics: Managing work related road risk* has been developed with the aim of reducing the risk of a collision between large goods vehicles in the construction sector and vulnerable road users such as cyclists and pedestrians. On [execution of this contract] / [appointment to this Framework Agreement] the successful [bidder] / [supplier] / [service provider] shall implement the requirements of the *CLOCS Standard for construction logistics: Managing work related road risk*. The successful bidder shall also ensure that any third party transport providers used to deliver this contract also comply with the *CLOCS Standard*. Compliance with this *CLOCS Standard* demonstrates compliance with duty of care and statutory responsibilities.

Specific requirements relating to road safety and freight will be specified in the works information or as a condition of contract. The requirements are summarised here...'

A summary of requirements is included in section 2.1.

e. Include the CLOCS Standard in the contract

At the contract stage a requirement to comply with the *CLOCS Standard* should be included. For example 'Incorporate the requirements of the *CLOCS Standard for construction Logistics* as per the organisation's contract for services in the purchase order conditions of contract or equivalent'.

f. Set a method of monitoring compliance

Finally, set up a method of monitoring compliance and ensure that requirements are being met. Contracts will need to have a clause setting out the implications of non-compliance and how this will be enforced.

For further information:

- CLOCS Guide – Managing supplier compliance

3.3 Existing contracts

Once you are clear on which contracts are affected, you will need to review your current contracts to identify which ones are relevant. It is suggested you begin with reviewing your contracts register or contracts database to identify relevant contracts which will include those that require a commercial vehicle to be able to carry out the work. You should also assess the length of time remaining on the contract and determine whether the contract will be varied based on how long before the contract is renewed.

Questions to ask at this stage include:

- Who is responsible for procuring goods and services?
- Which contracts are due to expire soon?
- Which contracts will be in place for long periods?
- What is the value of the contract?
- Which contracts are more at risk?

Contracts may be deemed more at risk for a number of reasons including type of vehicles being used, location of the site close to an area with a high number of VRUs, such as a school, or the contract being high profile.

The answers to these questions will help you to focus on any high priority contracts that are due for review or renewal soon or those that create the majority of delivery and servicing activity such as construction or maintenance contracts.

You should use a risk based approach to prioritise in which existing contracts you intend to implement the *CLOCS Standard*. If a contract is soon due for renewal or generates minimal delivery and servicing traffic then it should be a lower priority than longer contracts that generate considerable traffic.

For further information:

- CLOCS Guide – Managing supplier compliance

In summary, evaluate the cost of amending existing contracts and weigh this up against the benefits of amending them. Negotiate contract amendments at nil cost by presenting the benefits to fleet operators:

- The *CLOCS Standard*'s requirements are to be included in all NEW contracts so businesses are encouraged to be competitive by implementing the requirements in their existing contracts
- Amending existing contracts can have both safety and financial benefits. For example through fitting additional safety equipment to vehicles, operators may be able to reduce their insurance premiums in addition to improving visibility from the cab and maintaining business continuity through keeping their vehicles operating.
- Remind contractors that other clients will also be mandating the *CLOCS Standard*
- Consider that the assets will probably be bought for the life of the contract making it easier to procure a higher specification at the outset
- The *CLOCS Standard*'s requirements may become legislation in the coming years so why not be one step ahead
- Good business practice
- Business continuity
- Reputation of your organisation
- Less collisions means drivers and vehicles spend less time off the road
- Business development – you may be able to make deliveries on behalf of other suppliers who are unable to meet the requirements

Most forms of contract will allow the client to instruct the change that the supplier has to implement but with the cost to be agreed by mediation or arbitration if necessary. When amending existing contracts there are two main routes:

- Supplier collaboration
- Implementing variations (if applicable)

a. Supplier collaboration

This requires a more flexible timeline for implementation but involves using existing contract management and supplier relationships. Utilise management mechanisms to encourage your suppliers to include the *CLOCS Standard* in your existing contract. This method can reduce the cost of negotiation on both sides and encourages discussion at a supplier level rather than at contract level.

b. Implementing variations

Most forms of contract will include a mechanism for varying the scope or performance requirement of the contract. This will also set out how the contract price or programme is to be adjusted to account for the variations. This may invoke a compensation event.

A compensation event allows for changes in the contract price or times for completion or key dates provided it does not arise from the fault of the supplier.

Examples of listed compensation events are:

- The project manager issues an instruction which changes the works information
- The supplier encounters physical conditions
- The project manager fails to reply to a communication within the prescribed time

Appendix 1 answers a series of frequently asked questions that may arise when you are updating your contracts.

3.4 Exemptions to compliance

Section 2.2 of the *CLOCS Standard* sets out certain circumstances where special exemptions may be granted, for example very infrequent deliveries or utility companies who are not part of the project but who have a statutory undertaking to access assets on site.

For further information:

- CLOCS Standard for construction logistics: Section 2.2 - Exemptions

Decide whether there are any specific circumstances in which you would allow exemptions to the *CLOCS Standard*.

If there are any exemptions, set out clearly what your contractor should do to demonstrate that they are exempt. Contractors should also demonstrate other steps they will take to improve WRRR.

You may decide that international vehicles that make very infrequent deliveries (once a year) should be exempt from the requirements. However, in these circumstances efforts should still be made to mitigate the risk of incidents. This might include transferring the load for the final site delivery, specifying delivery routes or conducting the delivery at times of day with lower risk.

Next steps and further information

4.1 Next steps

This guide has been produced in close collaboration with construction industry organisations and associations. The information provided in this guide is emerging practice and will be kept under review in order to take into account collective feedback, new research findings and new industry practices in relation to managing work related road risk.

Having implemented the *CLOCS Standard* into your procurement processes, the next step is to ensure that you have a robust compliance monitoring and enforcement process in place to ensure that your suppliers are complying with the *CLOCS Standard*.

A guide covering supply chain compliance, including how to establish a compliance monitoring and enforcement strategy, communicate your intentions to your suppliers and implement your strategy has been developed to assist in this process.

For further information:

- CLOCS Guide – Managing supplier compliance

4.2 Further information

For further information visit www.clocs.org.uk

An electronic version of this document can be downloaded from the following link:

CLOCS Guide – Managing work related road risk in contracts
http://www.clocs.org.uk/wp-content/uploads/2014/07/CLOCS-Guide-managing-work-related-road-risk-in-contracts.pdf

Further useful information can be found in the following guides and publications:

CLOCS Standard for construction logistics: Managing work related road risk
http://www.clocs.org.uk/standard-for-clocs/

CLOCS Guide – Managing supplier compliance
http://www.clocs.org.uk/wp-content/uploads/2014/07/CLOCS-Guide-managing-supplier-compliance.pdf

CLOCS Guide – Managing driver training and licensing
http://www.clocs.org.uk/wp-content/uploads/2014/07/CLOCS-Guide-managing-driver-training-and-licensing.pdf

CLOCS Toolkit – Managing collision reporting and analysis
http://www.clocs.org.uk/wp-content/uploads/2014/07/CLOCS-Toolkit-managing-collision-reporting-and-analysis.pdf

Construction logistics and cyclist safety - summary report
Transport Research Laboratory
http://www.trl.co.uk/online_store/reports_publications/trl_reports/cat_road_user_safety/report_construction_logistics_and_cyclist_safety_summary_report.htm

Construction logistics and cyclist safety - full technical report
Transport Research Laboratory
http://www.trl.co.uk/online_store/reports_publications/trl_reports/cat_road_user_safety/report_construction_logistics_and_cyclist_safety_technical_report.htm

Driving at work: Managing work-related road safety
Department for Transport / Health and Safety Executive
http://www.hse.gov.uk/pubns/indg382.pdf

Improving road safety through procurement
Transport for London
http://www.clocs.org.uk/wp-content/uploads/2014/05/improving-road-safety-through-procurement.pdf

Construction Logistics Plan Guidance for developers
Transport for London
http://www.clocs.org.uk/wp-content/uploads/2014/05/construction-logistics-plan-guidance-for-developers.pdf

Construction Logistics Plan Guidance for planners
Transport for London
http://www.clocs.org.uk/wp-content/uploads/2014/05/construction-logistics-plan-guidance-for-planners.pdf

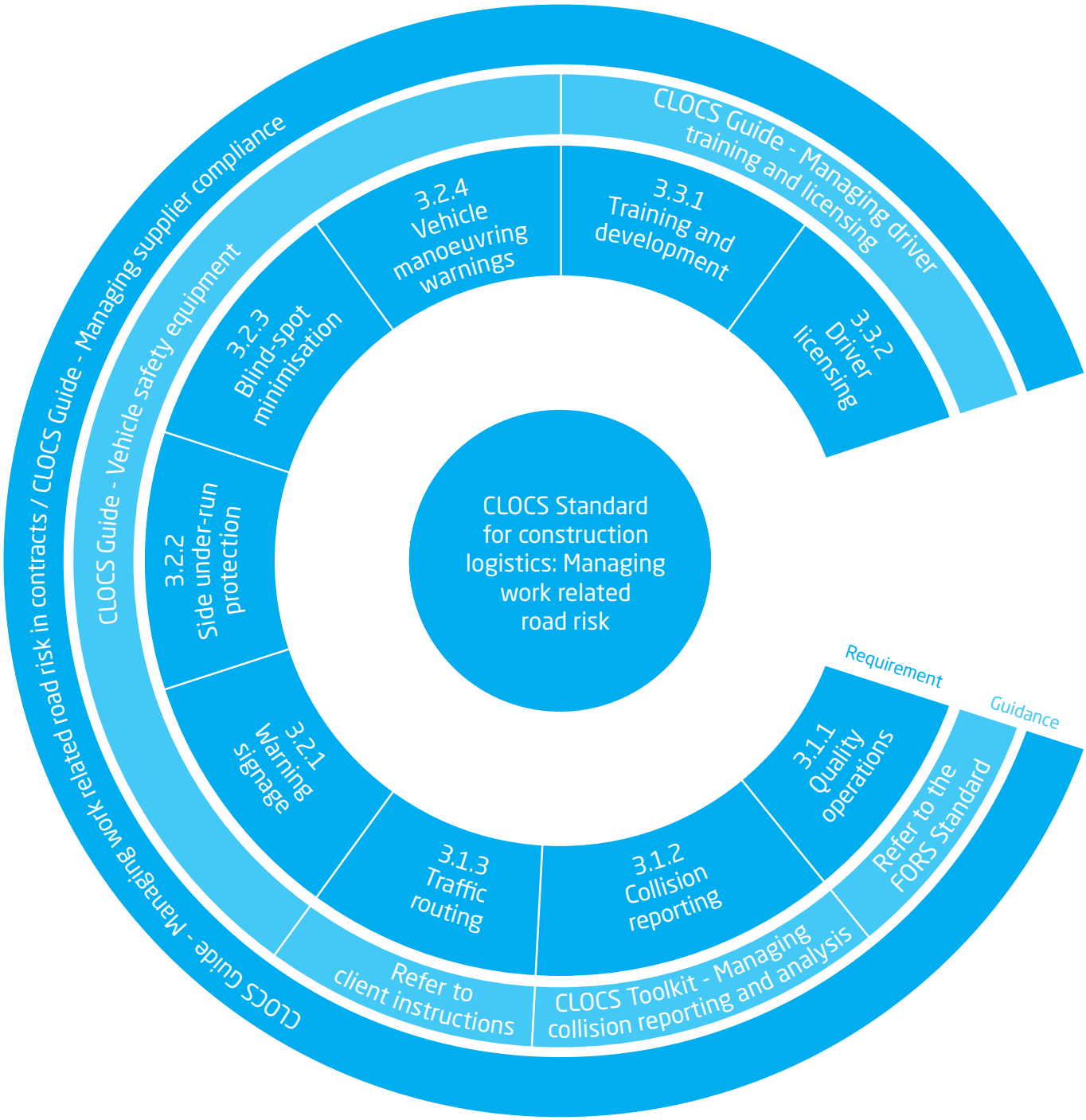
Further information on the Fleet Operator Recognition Scheme (FORS) is available from www.fors-online.org.uk

Frequently asked questions

Frequently asked questions	Response
Which contracts does this apply to?	The *CLOCS Standard* applies to all fleet operators serving contracts resulting in the use of vehicles for delivery and servicing activities are included in the scope of this Standard unless otherwise indicated by the client. It is for you to specify whether the *CLOCS Standard* applies within contracts based on your own assessment of risk. Within your own contracts, you should determine whether the Standard: • Applies to all vehicles or vehicles over 3.5 tonnes gross vehicle weight only • Applies to non-construction vehicles such as those providing additional services (e.g. catering)
How can I find out if a company is FORS accredited?	The FORS website (www.fors-online.org.uk) has a list of all registered and accredited companies and their FORS status
What do we do if a supplier does not agree to the new requirements?	If a supplier does not agree with the new requirements then you should explore what rights you, as the client, have written into your contract with them. Most contracts include the ability to make variations through negotiation or arbitration if necessary. In the event that a supplier is unwilling to meet the requirements once a contract is signed and agreed then they may be in breach of contract. Early termination is an option and it should be stressed to the supplier that their chances of securing repeat work will be affected
Who has to pay?	If you are making changes to existing contracts then the cost and liability of changes should be agreed during the variation process. If it is a new contract then the supplier would be liable for all costs of complying with the requirements
What contractual provisions would we want to include in the contract in the event the supplier breached the requirement?	The contract should include appropriate sanctions and break clauses in the event of a serious breach of contract
What if a supplier claims their vehicles should be exempt?	Ask the company to provide detailed evidence of why they think their vehicles should be exempt

Disclaimer

This guide is issued by the CLOCS working group. Following the guide is not compulsory and you are free to take other action. Regulators seek to secure compliance with the law and may refer to this guide as illustrating good practice.



About CLOCS Guides

This guide is part of a series of guides developed by the CLOCS working group. The guides are designed to help construction sector clients and logistic operators implement and comply with the *CLOCS Standard for construction logistics: Managing work related road risk*.