

Firms could be prosecuted for allowing employees to use hand-held mobile phones while driving in the latest crackdown on motorists

In a pilot scheme, company bosses will receive a visit from police if any of their workers are caught.

They will then be quizzed about what they intend to do to curb the illegal driving. Firms that consistently refuse to bring employees into line face prosecution and potentially unlimited fines under health and safety laws. They are responsible for giving the right advice to employees who use their own cars for work, as well as those who drive company cars.

The scheme, which is being tested in London but could be extended nationwide, is intended to provoke firms into action by embarrassing them. The move comes after it emerged that four in ten motorists are still breaking mobile phone laws. A third of all collisions are also believed to involve those who were working at the time.

Metropolitan Police Chief Inspector Ian Brooks said: "Having a uniformed police constable around the office does not look good for business. The scheme is designed to make companies feel uncomfortable when not fulfilling their responsibilities but we will also be there to offer support and guidance in putting a policy in place.

"We are not out to target businesses, only to encourage companies to operate responsibly."

Under the scheme, an employee stopped for using a hand-held phone while driving will first receive the usual £30 fine.

They will then be warned that their employer will receive an official police visit. Within a few days, a uniformed officer will call at the firm's headquarters for a meeting with a company director, asking about its risk management strategy and what it intends to do to curb illegal driving.

Firms that refuse to co-operate may be issued with an 'improvement notice' compelling them to take action. Companies that still refuse to cooperate could be prosecuted.

'Does not look good for business'

Depending on the seriousness of the offence, unlimited fines can be imposed on individual managers and the company in the crown court, while there is a ceiling of £20,000 in magistrates courts. If the use of a phone for a work related call leads to a crash, separate charges of individual or corporate manslaughter can be levied against the company and named individuals.

Around one in eight (12 per cent) of drivers say their work requires them to use their phones while driving yet almost two thirds (62 per cent) are not provided with handsfree kits by their employers, according to a survey by the Association of British Drivers and hands-free phone company JABRA. A Health and Safety Executive spokesman said employers had a 'duty of care' to take all reasonable and practical steps to ensure the health, safety and well-being of employees while at work.

"If an employer fails in that duty, there could be an issue of criminal liability."

Numerous surveys have shown the £30 fine for using a phone while driving, introduced in 2003, has done little to stop motorists breaking the law.

Drivers are allowed to use handsfree kits, but picking up a phone while parked with the engine running, or stuck in a traffic jam, is banned. Next year the fine is expected to be raised to £60 and three penalty points.

RAC Foundation executive director, Edmund King, said: **"We support the scheme. A targeted campaign like this will spread by word of mouth. No company wants its image tarnished by police officers turning up because its drivers are breaking the law."**

Road safety expert Kevin Delaney added: **"I would imagine that because of the potentially huge fines involved, any firm being issued with an improvement notice will be tightening up every screw in terms of its policies."**

