Guidance for Cycle Hire Business Accounts

This document provides guidance only in relation to some common themes relating to Business Accounts, but Businesses should take their own advice on the legal and insurance implications of operating a Business Account.

**Helmets**

The use of cycle helmets in the UK is not a legal requirement, which means it is up to each individual to decide whether or not they wish to wear one.

However, Businesses should check whether their Employer’s Liability insurers and health and safety advisors require employees using Cycle Hire under a Business Account to wear a helmet.

For a helmet to be effective it has to be the appropriate size and fitted properly.

Cyclist safety tips on the Transport for London (TfL) website and information provided to Cycle Hire users encourage cyclists to consider wearing a helmet.

**Damage to third party property or injury to other persons**

All users of the Cycle Hire Business Accounts scheme have the benefit of third party liability insurance which provides cover against damage to third party property or injury to other persons subject to the terms of the policy.  The user is responsible for paying any excess.   See the following link for more detail: <https://tfl.gov.uk/corporate/terms-and-conditions/santander-cycles-insurance>

**Personal injury**

The Cycle Hire Business Accounts scheme does not provide personal accident insurance and individuals should consider taking this out separately if they wish to.  Please also see below in relation to employer’s liability insurance.

Employers have a duty to provide a safe environment for their employees and should comply with the legal requirements to maintain employer’s liability insurance to cover their legal liability to employees for personal injury or damage to employees’ property during the course of employment.

Businesses should therefore speak to their insurers about whether any additional insurance cover is required or if there are any specific requirements such as providing employees with helmets and training.

**Health and Safety**

Businesses should consult with their health and safety advisor on what reasonable precautions they should take to minimise any risk to their employees.  For example only (and this is not intended to be an exhaustive list):

* Confirming employee highway and cycle proficiency;
* Ensuring wearing of appropriate clothing/equipment (such as helmet, lights (front and back), weather proof and easy to see clothing);
* Alerting employees to check that they are able to cycle without impacts on their health.

**Risk assessment**

It is also advisable to carry out a risk assessment of employees cycling for work purposes to ensure that Businesses can discharge their duties towards their employees.  If any risks are identified, Businesses should take identified steps to mitigate such risk.

**Terms and conditions**

Businesses need to make sure that users are aware that use of the Cycle Hire Business Accounts scheme is subject to the cycle hire terms and conditions and for Pooled Business Accounts, Businesses are responsible for ensuring that users comply with those terms and conditions.