

Polisi Risg Ffyrdd

Road Risk Policy



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1.0 INTRODUCTION

Carmarthenshire County Council is committed to establishing, maintaining and promoting high standards of the management of health and safety to minimise the risks to employees and others, arising from the use of motor vehicles.

The aim of this policy is to raise awareness of occupational road risks within the Council and to reduce the associated risks to employees, Elected Members, the public, and the Council to an acceptable level.

The Council recognises that its operation of its motor fleet of both commercial vehicles and cars, together with the necessity to use private vehicles for business journeys, presents risks to employees, Elected Members, the public and to the Council itself. Road travel involves a risk of injury and/or material loss and, in the worst case, death. It is therefore essential that foreseeable risks are properly managed to reduce as far as possible the chances of such injuries and damage occurring.

This Policy applies to all Council employees, Agency Workers, Contracted Persons and Elected Members, who are authorised to drive for Council work purposes.

2.0 SCOPE OF POLICY

This Policy aims to support the Council's workforce to deliver high standards of safety, reducing and dealing with risks associated with driving at work activities. It applies to the following categories of vehicles:

- Owned, Fleet and Leased Vehicles
- Hired or Contract Hired Vehicles
- Demonstration Vehicles
- Pool Cars
- Grey Fleet Usage

This Policy is also supported by:

- [Disciplinary Policy & Procedure](#)
- [Alcohol & Substance Misuse Policy](#)
- [Drivers' Handbook](#)
- [Law for Mobile Phone Use whilst Driving](#)
- [Using a phone, sat nav or other device when driving](#)
- [Relevant Health and Safety Policies](#)
- [Relevant Terms and Conditions of Employment of employees](#)
- [Data Protection Policy](#)

This Policy applies to all Council employees, Agency Workers, Voluntary Workers, and Elected Members and all personnel who are authorised to drive for Council work purposes.

It includes the use of Council owned, leased or hired vehicles, including pool cars, and also the use of private cars when being used for Council work purposes, whether mileage payments are claimed or not (Grey Fleet).

The Council has a duty of care to all those who need to travel while on duty for the Council.

Driving from home to the place of work is deemed to be commuting and is not covered by this Policy. However, the Policy covers travelling direct to work from home when in a Council vehicle, including recall to work travel.

In respect of grey fleet usage, reference should be made to [Health & Safety Guidance - Occupational Driving Use of Private Vehicles for Business Purposes](#)

Failure to comply, may result in disciplinary action.

3.0 ACCEPTABLE USE OF COUNCIL VEHICLES, PLANT & EQUIPMENT

Council vehicles, plant and equipment must only be used to carry goods and/or passengers on Council business. Council vehicles, plant and equipment are **not** to be used for private use.

Only persons on Council related business are authorised to be carried in Council vehicles as follows:

- Council employees on duty;
- Persons engaged on work for or on behalf of the Council;
- Persons being carried in the event of an emergency;
- Persons being transported as part of a Council service;
- Repair/Service Agents.

Note: It remains the legal responsibility of the driver to ensure that Council goods/waste are carried safely and securely at all times.

4.0 RESPONSIBILITIES

a) Council Management

The Council's Management is committed to providing and maintaining, in so far as is reasonably practicable, safe vehicles, plant and equipment. This will be achieved by providing such information, instruction, training, and supervision as necessary to ensure staff safety.

To this end, Management will:

- ✓ Ensure the policy is sufficiently communicated to staff within their remit and carryout suitable checks to ensure compliance;
- ✓ Proactively promote improving fleet practice at senior management level across the organisation and encourage line management to do likewise;
- ✓ Regularly review and monitor fleet risks and implement improvements where necessary;
- ✓ Provide adequate resources to enable delivery of this Fleet Policy.

b) Supervisors/Line Management

Whilst drivers are the individuals ultimately responsible for how a vehicle is driven on the road, Supervisors/Line Managers have a significant influence on their staff, either positively or negatively. For example, unrealistic schedules, inadequate training and failure to properly maintain vehicles all increase the risk of road accidents, whilst good assessments and planning can reduce the risk.

Supervisors/Line Managers are responsible for ensuring, as far as reasonably practicable: -

- ✓ Staff performing driving duties must be in accordance with the Driver Handbook;
- ✓ A suitable risk assessment has been completed and is in place;
- ✓ Employees have the relevant driving licence(s) and are adequately qualified and trained before assigning driving activities (including temporary/agency staff);
- ✓ Vehicles, plant & equipment is properly maintained and checked before operating;
- ✓ Ensure hired vehicle tachographs are locked-in prior to going in to service;
- ✓ Ensure that staff complete a [driver declaration](#), prior to engaging in business driving activities. This is required every 3 years;
- ✓ Ensure all HGV staff complete a quarterly and all other staff annual [driving licence check](#) for eligibility and infringements for you as the line manager
- ✓ Drivers comply with the Driving [as per driver handbook], Operator licence and [Working Time](#) Directive legislation at all times, during working hours;
- ✓ Where appropriate, ensure vehicles under their control are presented for service inspection, maintenance and repairs when required;
- ✓ All vehicle incidents/near misses must be reported on this [form](#), in accordance with Council's [incident reporting procedure](#) and appropriately investigated by Line Management;
- ✓ Download all electronic tachographs weekly and carry out compliance checks on driver hours in line with Operator Licence Requirements

c) Drivers/Operators

This Policy applies to all Council staff, including Elected Members, who drive Council owned, leased or hired vehicles, plant and equipment and includes those privately owned or leased vehicles authorised to be used in the course of the business of the Council.

Drivers ultimately have responsibility for driving safely, operating a safe vehicle and planning their journeys.

At all times drivers must comply with the appropriate road traffic regulations and the Highway Code even during private site/property visits.

In addition, drivers must: -

- ✓ Hold and produce the correct driving licence(s) to the Council at inception of their employment and anytime thereafter, as appropriate;
- ✓ Complete a [driver declaration](#), prior to engaging in business driving activities. This is required every 3 years;
- ✓ Attend all relevant driver training / assessments as identified;
- ✓ Consent to the Council completing regular [driving licence checks](#) to verify entitlement to drive;
- ✓ Immediately notify the Council of any traffic offence(s) or notice of intended prosecution which the employee is required to bring to the attention of their Supervisor/Line Manager;
- ✓ All Heavy Goods Vehicle [HGV] is any vehicle with a total weight over 3,500 kg including cargo, drivers must notify the Fleet Manager of any traffic offence(s) or notice of intended prosecution;
- ✓ Be aware of, and comply with, the rules of the road ([The Highway Code](#));
- ✓ Wear seat belts and be in full control of the vehicle, at all times;
- ✓ Confirm fitness to drive and be [fit to drive](#) when reporting for work;
- ✓ Inform line management immediately of any change to their health status that results in no-longer being fit to drive (this includes the temporary use of medication).
- ✓ If a driver becomes ill whilst driving, they should stop the vehicle as soon as it is safe to do so and inform their Supervisor/Line Manager;
- ✓ Comply with this Policy, the Council's Health & Safety Procedures and associated documentation relating to the safe and proper use of vehicles;
- ✓ Drivers are responsible for maintaining the cleanliness of their vehicles to ensure clear visibility, safe operation for all occupants and uphold corporate standard.
- ✓ [No smoking or vaping in any vehicle](#)
- ✓ Cooperate with the Supervisor/Line Management in respect of this policy;
- ✓ Comply with all relevant road traffic legislation;
- ✓ Comply with all signals, signage and direction given by Police or other authorised officers;

- ✓ Comply with all parking regulations – Police and Civil Enforcement Officers have the right to cause a vehicle to be moved, at any time, if the vehicle is causing an obstruction;
- ✓ Ensure the Council's Driver Handbook, as appropriate, is not compromised by their actions;
- ✓ Ensure that working/driving hours do not exceed the appropriate time directive;
- ✓ Be responsible and accountable for the care, condition and treatment of Council provided vehicles;
- ✓ All vehicle incidents are reported in accordance with the Council incident reporting procedure;
- ✓ All drivers must download their tachograph data weekly or more frequently as required
- ✓ All HGV drivers must carry their driver CPC card at all times, and make their licence available to the Council's Fleet Manager for inspection, as required.
- ✓ The Council accepts no responsibility for the loss or damage to personal property carried in Council vehicles. Council property, which cannot be removed from the vehicle during times when the vehicle is left unattended, should be concealed from view or locked in the boot compartment;
- ✓ Council vehicles must not be used for any other reason other than in the execution of Council Business. Vehicles must not be used outside of normal business hours, subject to reasonable period to travel to and from home and place of work, only where consent has been provided by the Supervisor/Line Manager.
- ✓ You are not permitted to carry any unauthorised passengers
- ✓ Tools and materials are not permitted to be transported in the same cabin space as personnel
- ✓ Use the vehicle in which the manner in which it is intended and in line with all safe working practices and risk assessments pertaining to the operation of that vehicle.
- ✓ Any failures or contraventions to follow these duties and responsibilities may be subject to disciplinary and/or capability procedures.

d) All Staff (Grey Fleet: Personal vehicles which are used for business purposes.)

All staff using their own vehicle in the course of the business of the Council must ensure;

- ✓ The vehicle has a valid MOT and properly maintained;
- ✓ Private vehicles being driven in the course of the Council's business must have insurance cover which permits business use;
- ✓ The Council must be notified immediately of any licensing or insurance cover changes which apply to staff using their private vehicles in the course of Council business;
- ✓ The Council will not accept liability for claims which are not covered by the driver's own insurance, whilst engaged on Council business;

5.0 RESPONSIBILITIES OF TRANSPORT RISK GROUP

The Group will:

- Consider issues at an operational level, undertaking detailed monitoring of transport risks and being pro-active in identifying solutions.
- Review motor vehicle claims and complaints statistics to assist the identification of emerging trends and promote initiatives to reduce the Authority's exposure to these risks.
- Provide a multi-service forum to share best practice and procedures for dealing with transport risk issues.
- Consider bids for financial assistance from the Risk Management Budget and when recommended for approval refer to the Risk Management Steering Group for final authorisation
- Developing risk management strategies: Creating plans to mitigate identified risks, such as implementing safety protocols, training programs, and emergency response procedures.
- Monitoring compliance: Ensuring that all transportation activities adhere to relevant regulations and industry standards to minimize risks.
- Investigating incidents: Conducting thorough investigations into transportation-related incidents to identify root causes and prevent future occurrences.
- Communicating with stakeholders: Collaborating with internal teams, external vendors, and regulatory authorities to address transportation risks and implement effective solutions.
- Providing training: Offering training and guidance to employees on best practices for transportation safety and risk management.

6.0 RESPONSIBILITIES OF TRANSPORT MANAGER

The Transport Manager is responsible for provision of systems and procedures including subsequent audits with regards to all aspects the transport operations which are required for the Directorates to manage their Drivers.

In particular, the Transport Manager is responsible for ensuring:

- tachograph calibrations are up to date and displayed
- where appropriate, download and store data from the vehicle digital tachograph unit (at least every 30 days) and from the drivers' tachograph smart cards (at least every 7 days)
- the retention of all drivers' hours records for at least 12 months
- the retention of working time records for at least 24 months
- drivers follow drivers' hours rules
- drivers and mobile workers take the right number of breaks and periods of daily and weekly rest based on the relevant regulations which apply
- drivers are recording their duty, driving time and rest breaks on the appropriate equipment or in drivers' hours books and their records are being handed back for inspection as required
- drivers have the appropriate licence for the vehicle they're driving
- regular checks are carried out on the drivers' licences [HGV quarterly and all others drivers annually]
- vocational drivers have a valid Driver Certificate of Professional Competence (CPC) card
- drivers are adequately trained and competent to operate all relevant vehicles and equipment
- monitoring driver behaviour through telematics for safety and vehicle efficiency
- relevant training and disciplinary processes are followed as required
- all vehicles are recorded on the operator licence and are adequately insured
- vehicles are secure so they cannot be used by someone without permission of the operator
- that all vehicles and trailers are safe to use (roadworthy)
- safety inspections and other statutory testing are carried out within the notified operator licence maintenance intervals
- completion and display of a maintenance plan, setting preventative maintenance inspection dates at least 6 months in advance and including the MOT and other testing or calibration dates
- liaison with maintenance contractors, manufacturers, hire companies and dealers, as might be appropriate and that certain vehicles and trailers are serviced in accordance with manufacturer recommendations
- vehicles and towed equipment are available for safety inspections, service, repair and statutory testing
- vehicle payloads notifications are correct
- height indicators are fitted and correct

- drivers complete and return their driver defect reporting sheets and that they record defects correctly
- reported defects are either recorded in writing or in a format which is readily accessible
- reported defects are repaired promptly
- vehicles and trailers that are not roadworthy are taken out of service

7.0 RESPONSIBILITIES OF FLEET MANAGEMENT UNIT

The policy sets out the responsibilities and authority of the Fleet Management Unit (FMU).

The FMU will ensure;

- Vehicles, plant and equipment is maintained and presented in a serviceable condition, with all relevant documentation in force;
- The FMU will work in conjunction with other Council Departments and Service Units in respect of vehicle, plant and equipment procurement and specifications. Specific vehicle, plant and equipment requirements should be referred to the Council's Fleet Management Unit for advice and guidance, as regards the process;
- The FMU should be informed as to the vehicular requirements, within the Council's Fleet Replacement Programme, in advance of the operational requirement. This is to facilitate the procurement process and vehicle lead-time.
- All vehicles, plant and equipment entering service must receive an initial inspection by a Council's Fleet Management Unit to ensure operational compliance and to facilitate the asset management recording process.;
- All end-of-life vehicles, plant and equipment will be subject to the Council's Corporate disposal procedures and processes;
- Vehicle, plant and equipment revenue costs will be recorded on the Council's Transport management system to ensure cost effectiveness and monitor ongoing whole life costs;
- Maintaining the Council's Goods Vehicle Operators Licence register;
- Compiling full and appropriate data on each licensed vehicle;
- Ensure that the Council's Operators Licences comply with the relevant legislation applicable to fleet operations;
- Inspect and update the Council's Motor Insurance Database (MID), as appropriate, to ensure all road vehicles operated by the Council are covered by the Council insurance policy.

- Fleet Management Unit will ensure that all road fleet vehicles (Council owned or hired), have a current road fund licence in force prior to use.
- Council vehicle documentation, service inspection records and related statutory documentation will be retained at the Fleet Management Unit, Trostre, Llanelli.
- The Council's Fleet Management Unit will coordinate annual roadworthiness testing (MOT's) in line with the expiry date, regulatory and testing records and will be retained by the Fleet Management Unit in line with licensing requirements.
- Hired vehicle documentation should be retained by the relevant service unit Supervisor/Line Manager acquiring the use of the hired vehicle, item of plant or equipment.
- All requests for such documents should be made through the relevant Supervisor/Line Manager and referred to the Council's Fleet Management Unit, as appropriate.
- All vehicles should have the well driven logo and corporate branding, exemptions will apply.
- All goods vehicles, must have appropriate reflectors the vehicle which must be kept clean and operational. Any defect to be reported as directed in Daily Checks and reported to Fleet Management Unit.
- Vehicle registration number plates should be free from damage and be always clearly visible. Temporary plates must be of an approved design and appropriately displayed. Trailers being towed must be fitted with approved plates and correspond with the vehicle that the trailer will be attached and towed by.

8.0 SERVICING SCHEDULE

Service Intervals:

At present the periodic safety inspections are scheduled at the following intervals:

- 6 weeks Heavy Goods Vehicle
- 17 weeks Light Commercial Vehicle

Service and periodic safety inspection dates for all vehicles will be advised by email two weeks in advance to Supervisor/Line Managers by the Fleet Management Unit.

Vehicles not attending unless by prior arrangement will be issued with a 'prohibition notice' whereby the vehicle cannot be used other than to attend the workshop for the necessary work to be carried out.

Presenting the vehicle for Service:

Vehicles, plant and equipment must be presented for servicing or periodic safety inspections on the specified day. The vehicle must be cleaned and properly presented to enable the relevant work to be carried out, this includes the vehicle body. All personal effects must be removed from the vehicle before being presented for servicing, inspection or repair, especially those vehicle with a tilting cab.

Defects:

Any non-safety related defects that require attention should be listed in the vehicle defect book during the drivers daily report. The Supervisor/Line Manager should then be informed of the issue and the Fleet Management Unit notified. If during inspection, the vehicle needs to remain at the depot.

9.0 DRIVER CPC TRAINING (DCPC)

Driver Certificate of Professional Competence (DCPC) Regulations apply to drivers of vehicles which exceed 3500kg gross vehicle weight (GVW), who carry passenger and goods and is applicable since September 2009.

All drivers to whom this applies must complete the required periodic training, as appropriate. This is obtained by attending at least 35 hours of approved training within every five-year period of their driving careers.

The operational training team will advise Supervisors/Line Managers when attendance is required in order to meet the statutory DCPC training requirements.

10.0 DRIVER DIGITAL TACHOGRAPH CARDS

Driver Digital Tachograph Cards must be obtained by the driver.

Costs associated with the purchase can be reclaimed from the Council by completing the appropriate expenses form; drivers should refer to their Supervisor/Line Manager in this

regard.

Drivers are responsible for the Digital Tachograph Card and the replacement cost, should the card be lost.

Faulty cards will be replaced free of charge by the DVLA upon examination.

Digital Tachograph Cards are valid for 5 years and applications for renewal should be completed in advance of the required date.

Drivers must be in possession of a valid driver's card at all times. If you forget your card, you will need to return home to get the card before commencing duties.

Drivers must not leave their cards in the tacho housing (port).

11.0 ROADSIDE VEHICLE CHECKS/DVA SITE VISIT

Supervisor/Line Managers must immediately report any roadside inspection or site visit by Police, authorised Inspectors of the Driver & Vehicle Agency (DVA) or Customs & Excise, irrespective of whether charges have been made against the driver.

The Fleet Management Unit will advise on the appropriate course of action to be taken in each case.

12.0 SAFE DRIVING

At the point of induction managers must draw attention to the Driver Handbook and any other relevant policies and procedures relating to driving/travel on council business.

Driver Assessment:

Driving duties will not commence for specified vehicles/machinery until satisfactory completion of an assessment of driving skill by the council's training team:

- Category B, C, C1, C1+E, D1, D1+E.
- Forklift – Counterbalance
- Tractor
- Electronic Vehicles
- Dumpers – Forward
- Ride on Rollers
- Ride on Mowers
- Gritters/snowplough
- Gully-suckers
- Road Sweepers
- Precinct Sweepers
- Twin Drum Roller
- Gator

- Quad bike
- Small – Medium size vans
- Cars
- Mini buses
- Hotbox
- JCB 180
- 360 Excavator
- Grillo
- Track mounted wood chipper
- Glass collection vehicles
- AHP vehicles
- Refuse vehicles – various weight
- Telehandler

D1 Requirements:

The D1 driving licence is a category of licence that enables individuals to drive vehicles that carry between 9 and 16 passengers, such as minibuses. To obtain a D1 driving licence, individuals must meet specific requirements and undergo additional training and testing beyond what is required for a standard driving licence.

These requirements ensure drivers have the necessary skills and knowledge to operate a minibus safely and responsibly.

Monitoring driver behaviour:

Monitoring driver behaviour through telematics is crucial for promoting safe driving practices, reducing fuel consumption, and improving operational efficiency.

The proper handling of personal information is very important to the delivery of our services, we include our privacy notice: [Global Positioning System tracking in Council vehicles](#)

13.0 PARKING OF VEHICLES

All Council vehicles must be parked overnight in appropriate Council premises, unless authorised otherwise.

Vehicles parked away from the Council premises must be legally parked in line with the [highway code](#).

Any parking fines received will be the responsibility of the driver.

All Operator Licence vehicles must only be parked at Authorised Goods Vehicle Operating Centres listed on the Council's Operating Licence, as registered by the Fleet Manager.

14.0 FUEL

Petrol:

The vehicle will have a fuel card and a PIN number.

You will need to contact envbsufleet@carmarthenshire.gov.uk to receive your pin.

Diesel:

There are fuel fobs on the vehicle keys to allow you to fill your vehicle up with Diesel in our depots.

Electric:

We have various [charging point locations](#) around the county and we have detailed [instructions on how to operate](#).

15.0 VEHICLE CLEANLINESS

As far as is reasonably practicable, all Council vehicles must be kept clean and tidy both inside and out. All equipment and materials must be properly stowed in the load area. Particular attention should be paid to all around vision (glass, mirrors and reflective markers). This is in the interest of visibility, road safety, health & safety and to present a positive Council image of the public.

All mechanical sweepers must wash out and drain water from the sweeper system at the end of each shift.

All Refuse Collection Vehicle's must be regularly cleaned to prevent build-up of waste on moving parts (bin lifts, ejector plate etc.) and any liquid accumulated during the waste collection process should be drained on a regular basis at an authorised facility.

Staff must remove any litter from the interior of Council's vehicles at the end of the shift pattern. Such waste must be deposited in the appropriate receptacle.

Note: Vehicle spot checks will be carried out to ensure staff adhere to the vehicle cleanliness standards.

16.0 DRIVER INCIDENT MANAGEMENT GUIDANCE

In order to ensure a consistent approach is adopted when investigating incidents involving council vehicles the following procedure will be used.

Where an incident involves any of the issues listed below, the driver will be removed from driving duties immediately, whilst some initial fact finding is undertaken by the relevant manager/supervisor.

- Repeated Overloading (3 offences within 12 months)
- Endorsable Road Traffic Offences
- Serious (upheld) complaints concerning driving
- Repeated contraventions to driver behaviour (3 in 6 month rolling period)
- Dangerous occurrences at work
- Injury to driver or others
- Damage to property, plant, vehicles due to possible negligence of the driver

On conclusion:

The line manager will arrange a meeting to be convened with the driver and their representative as soon as possible after receipt of the [report](#), in order that the driver may be informed of the conclusions reached and of any further action to be taken against them as a result of the conclusions.

Any subsequent investigations must be undertaken in accordance with the Council's Disciplinary policy and procedure which may result in disciplinary action.

The Fleet Management Unit will assist in the investigation of insurance claims, driver behaviour contraventions and vehicle repair estimates.

All vehicle insurance matters will be referred to the Council's Risk Unit.

17.0 EXTERNAL SPOT HIRE

The Fleet Management Unit, in association with the Transport Manager will make arrangements for all external hire of vehicles, in accordance with the user specifications, as appropriate.

All such arrangements will be made to meet appropriate legislation and Operator Licence requirements, as appropriate.

The Fleet Management Unit will be advised by the relevant Council section on the specification for hiring of vehicles. Details must be provided in respect of the vehicle requirements and the duration of hire. The Council's procurement process will be followed as regards approved suppliers.

18.0 DRIVING FOR WORK: EMPLOYEE-OWNED VEHICLE CHECKS

Employers owe the same duty of care to staff who drive their own vehicles for work. It is an offence under Road Traffic Act to cause or permit a person to drive a vehicle that is in a dangerous condition or without a valid licence or insurance.

Essential/Casual car users are encouraged to conduct regular vehicle checks to ensure their vehicle is roadworthy.

NB Staff should refer to the [RoSPA \(The Royal Society for the Prevention of Accidents\) Driving for Work Own Vehicle guide](#).

19.0 STAFF MILEAGE & SUBSISTENCE CLAIMS

The Council [mileage claims](#) are processed via [MyView](#) in respect of travel and subsistence claims, which can be accessed via the Council's intranet system.

Basis of a claim:

- The normal starting and finishing place for official journeys will be the location where you are based.
- If you start a journey from a location other than your base or end a journey at a location other than your base, the mileage claimed should be limited to the "Additional Mileage" incurred as a result of your official duties.
- The Additional Mileage Principle recognises the saving to you in not travelling to or from the base and reduces the amount that can be claimed accordingly whilst ensuring that you are fully compensated for any additional mileage undertaken in connection with your official duties

20.0 FLEET REPLACEMENT PROGRAMME

The council will ensure the successful execution of a sustainable fleet replacement programme by implementing a comprehensive strategy that includes:

- Thorough service needs assessment
- Whole life costing
- Budget planning
- Efficient procurement
- Effective maintenance planning
- On going monitoring and evaluation to ensure alignment to service delivery needs and optimal resource utilisation.
- Prioritise the decarbonisation through an assessment on Technical, Economic, Environmental and Practical needs

21.0 FLEET DISPOSAL

The Service Manager will liaise with the Transport Manager in respect of assets which should be removed from service. The asset will be sent to Trostre Depot for full out-of-life assessment. A condition report will be processed in accordance with the Council's asset disposal process and the asset scheduled for disposal.

A [fleet asset disposal form](#) must be completed by the relevant Supervisor/Line Manager and a copy will accompany the asset. The Council's Finance section must be informed of the disposal.

The asset will be scheduled for public auction at the next available date. The auction proceeds will be forwarded to the Council's Finance section. The disposal record form will be completed with the insurance database and Operators Licence systems updated accordingly.