



State Indemnity Guidance

SIG 04: Use of motor vehicles by Delegated State Authorities

a) What is a Delegated State Authority vehicle?

A Delegated State Authority (DSA)¹ vehicle, for the purposes of State Indemnity² is a vehicle which is registered in the name of the DSA or is in the DSA's custody and control. This includes hire vehicles³ and vehicles on lease plans⁴ but does not include private⁵ vehicles owned by employees or other third parties e.g. contractors, clients, charities, clubs, associations, etc.

b) What cover is provided to DSA vehicles?

State indemnity applies in respect of any claims for personal injury (including those to passengers, service users, the public and employees) and third party property damage associated with authorised use of DSA vehicles on approved DSA business. It is similar to commercial third-party motor cover.

c) What is considered authorised use of a DSA vehicle?

Authorised use applies following approval from DSA management to use DSA vehicles on DSA business. DSA vehicles should not be used for social, domestic or pleasure purposes.

d) Who can drive a DSA vehicle?

Employees, servants and/or agents of a DSA who are authorised by local management can drive DSA vehicles. Please see section (g) and *the Driving for Work Checklist* for further information.

Persons on contracts of service⁶ (where the DSA not only directs them as to what to do but also how to do it) can drive DSA vehicles once:

- DSA management approval in accordance with DSA policy is obtained;

¹ **Delegated State Authority (DSA)** - refers to all bodies where management of personal injury and third-party property damage claims against the body is delegated to the SCA. This includes State Agencies, healthcare enterprises, community & comprehensive schools and prisons.

² **State Indemnity (SI)**: Indemnity is a protection against possible damage or loss, typically a promise of payment should damage or losses occur. SI is given to State authorities by the State, to compensate third parties or individuals for any losses that incur as a result of the activities of the State (or State body), where the State has been negligent by act or omission.

- Driving for work is included in the terms of their employment contract.

Therefore, this includes agency and temporary staff but does not include external contractors on a 'contract for service' hired by the DSA to perform a specific task e.g. construction works, utility maintenance, etc.

It is recommended that volunteers or students do not drive DSA vehicles. Please contact the SCA for further information. Drivers are not named on an individual policy, as per commercial insurance; they are approved by management as per DSA policies and procedures.

e) What are the drivers' responsibilities?

DSA drivers must have appropriate, current and valid license(s) for the vehicle(s) they drive. While driving on DSA business, if an employee breaches the Road Traffic Act(s), any associated driving penalties affect the drivers' personal licence. As per local DSA driving policy, employees should inform their DSA of any driving penalties incurred. The SCA does not keep a record of driving penalties for DSA drivers.

f) Should DSAs display evidence of State indemnity cover in DSA vehicles?

SCA-AF-01: State indemnity confirmation: DSA vehicle (State indemnity motor disc) is provided in lieu of a conventional insurance disc and confirms all appropriate indemnity arrangements. It should be placed in each vehicle owned by a DSA and referred to in the case of an accident or if requested by An Garda Síochána.

³ **A hire vehicle** is a vehicle which is hired to be used by the DSA on approved DSA business, typically on a short term arrangement.

⁴ **Lease plans** – leased vehicles used by the DSA on approved DSA business, via a fleet and vehicle management company, typically on a long term arrangement.

⁵ **Private vehicle** in this instance refers to vehicles owned and insured by an employee of the DSA. For guidance on an employee's vehicle, refer to *SIG-05: Use of Private Vehicles for Business Purposes*

⁶ **SIG-03 State Indemnity and Use of Contractors**

State indemnity motor discs are not disseminated by the SCA. Please contact your local insurance/risk manager/fleet manager to obtain **SCA-AF-01** for DSA vehicles.

g) Should the SCA be notified where new DSA vehicles are acquired or other changes in fleet arise?

The SCA does not require notifications or updates on new vehicles acquired. A record of fleet should be maintained locally by the DSA. Please contact your local insurance/risk manager to obtain **SCA-AF-01 (State indemnity motor disc)** for any new vehicles in the DSA fleet.

h) Can an employee drive a vehicle on approved DSA business when the vehicle is not owned by the DSA?

The SCA advises that all vehicles utilised by a DSA be their own property (i.e. registered in the DSA's name). In situations where a DSA uses a third party vehicle e.g. charity or voluntary organisation on a permanent basis, if it is the case that ownership cannot be changed over and the DSA wishes to continue with the arrangement, a formal agreement must set out the terms and conditions of use. Please contact the SCA for further advice.

Note - this does not apply to immediate emergency situations where a DSA employee may be required to drive a third party vehicle without prior agreement (e.g. An Garda Síochána, Ambulance Service, Defence Forces moving a vehicle at the scene of an accident etc.).

i) Does State indemnity extend to hire or lease vehicles?

Yes, once approved by DSA management, State indemnity applies to a hire or leased vehicle in the same way as it does to a DSA vehicle. A formal agreement should be put in place between the vehicle provider and the DSA. A register containing details of each individual hire vehicle must also be maintained by the DSA.

SCA-AF-02: State indemnity confirmation: DSA vehicle (State indemnity hire motor disc) is provided in lieu of a conventional insurance disc and confirms all appropriate indemnity arrangements for hire/lease vehicles. It should be placed in each hire/lease vehicle and referred to in

the case of an accident or if requested by An Garda Síochána.

State indemnity hire motor discs are not disseminated by the SCA. Please contact your local insurance/risk manager to obtain **SCA-AF-02** for hire/lease vehicles. **SCA-AF-02** should be removed from hire/lease vehicles and filed appropriately following hire conclusion.

j) Are there restrictions on carrying goods/equipment?

There are no restrictions provided a risk assessment is completed and the appropriate controls are in place. The carriage of certain goods is governed by the "European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR)" (e.g. chemicals, gases, vaccines) etc. If this arises, please contact your DSA dangerous goods advisor or the SCA for advice.

k) Are there any restrictions on where vehicles can be parked?

DSA vehicles should be parked in a secure location on the DSA's property when not in use. Situations may arise where employees need to park a DSA vehicle at their own home. The decision to allow this is for DSA management. Any damage that might occur as a result of this practice is likely to be borne by the DSA. Management should consider this risk before granting approval. Employees must be made aware that vehicles may only be used for authorised work related business and therefore not for private purposes.

l) Can we transport passengers in a DSA vehicle?

Yes, authorised passengers can be transported in DSA vehicles as part of DSA business activities. DSAs should develop risk assessments which take account of task-related risks e.g. child protection issues; control and restraint etc. The decision to transport service users (e.g. children, clients, family members of service users etc.) in a DSA vehicle should be based on business needs and a consideration of the risks involved together with the capabilities of each individual service user.

m) Can you drive a DSA vehicle in the United Kingdom (UK) including Northern Ireland (NI)?

Yes, DSA vehicles can be driven in the UK, including NI, and State indemnity will apply.

Following Brexit, there is a requirement for DSA vehicles to display a Green Card⁷ when driving in NI, or any other part of the UK. Please contact the SCA for further information.

n) Can you drive a DSA vehicle in the rest of Europe?

This type of activity should only take place for specialised vehicles. Please contact the SCA before undertaking such trips.

o) If I have a traffic accident in a DSA vehicle will it affect my personal motor insurance premium?

Excluding driving penalties and criminal offences for breach of the Road traffic Act(s), if you have an accident in a State vehicle this does not affect your personal motor premium. However, if your insurer asks if you were involved in a driving incident, you should answer truthfully and provide the relevant details. The SCA does not provide details of motor claims or driver history to commercial insurers; these records should be maintained locally by the DSA.

p) Does State indemnity cover damages to DSA vehicles or offer breakdown assistance?

No, State indemnity does not cover damages including wear and tear repairs or offer access to a breakdown assistance service. It is a matter for the DSA to put in place their own arrangements for the repair, replacement and breakdown of DSA vehicles, including that to windscreens.

q) How are DSA vehicles taxed?

In the first instance, please refer to individual DSA procedures on how motor tax is arranged. State indemnity is not like conventional insurance, it is enshrined in legislation and therefore will not have a policy number or an expiry date. However, when using Motor Tax Online, these fields are mandatory and the SCA is named on the list of insurers on this system. When renewing DSA vehicle motor tax online, please use the following steps:

Insurance Company (not broker): STATE CLAIMS AGENCY

Expiry Date: Day/Month/Year - 1 year from date of renewal

Policy Number: SCA0000

⁷An International Motor Insurance Card / Green Card is an internationally recognised insurance document which provides proof of the minimum compulsory motor insurance indemnity cover required by the country visited.

Business and personal use of Delegated State Authority vehicles

r) What is “business use” of a DSA vehicle?

Any driving activity which is authorised and approved by local management is considered business use. The vehicle is returned to a designated DSA parking area and is not normally kept overnight in the vicinity of the home of an employee.

s) What is “personal use” of a DSA vehicle?

Personal or private use of a DSA vehicle is the use of any DSA vehicle for an activity which is not work related.

t) What is “Incidental personal use”?

In some circumstances, dependent on management approval, limited personal use of a DSA vehicle is permitted. However, this limited “incidental personal use” must be connected to business use. Using a DSA vehicle to go for lunch or brief journeys for personal purposes while on DSA approved business are considered acceptable but the justification for the journey must be within reason.

For example, it may be more functional for an employee and practical or economical for the DSA, for an employee to take a vehicle home, so as to enable them to travel directly on business from home. However, this does not mean that the vehicle can be used for recreational purposes in the interim. Legally, when an accident occurs whilst the vehicle is used in an unauthorised/unapproved manner by an employee, it is a matter for the courts to decide whether the employer is vicariously liable or if an employee is on a “frolic of their own”.

u) DSA fleet management and personal use

The SCA advises that personal use outside of “incidental personal use” of DSA vehicles should not be permitted. It should be made clear to staff that the provision of a DSA vehicle is for authorised business use only. Where personal use of the vehicle is permitted, outside of “incidental personal use”, it may be necessary for the DSA to consult with the Revenue Commissioners to ensure tax compliance and benefit in kind provisions are in order.

All DSAs must document policies and procedures concerning the use of DSA fleet vehicles in a ‘Driving for Work Policy’. Driver competency, the authorisation process outside of that outlined above, vehicle storage, fuel expenses etc. can be addressed by this policy.

v) Practical examples* of “business / incidental personal use” versus “a frolic of their own”

An official is attending to State business and on the return journey to the office makes a detour to stop and get lunch.

This is considered “*business use*”, as it is just a slight deviation from the normal route back and the incidental personal use is considered appropriate.

An employee is required to attend to State business, away from their usual place of work, with an overnight stay. That evening, whilst away, she goes for a meal using a DSA car.

This is considered “*incidental personal use*”, as while it is after working hours, the employee is on an overnight for work related business and the incidental personal use could be considered appropriate.

An employee borrows a State offices delivery van to collect DIY goods from a hardware store after work.

This is considered a “*frolic of his own*” as the activity is entirely personal, could not be considered incidental and is not connected to normal working procedures.

An employee has received management approval to park a DSA vehicle outside her residence every night and drive to and from work daily. Every week, she uses the DSA vehicle to bring local children to their football matches.

As management approval has been received, the driving to and from work is considered “*business use*”. However, the use of the vehicle to bring children to a football match is a “*frolic of her own*” as the activity is entirely personal.

* Examples for illustrative purposes only

w) DSA risk management best practice

Both DSA and employees must adhere to the requirements of the Road Traffic Act(s), Safety, Health and Welfare at Work Act, 2005 and application of the common law duty of care, which all apply to driving as a work activity.

All DSAs should implement or update their local “Driving for Work” policy to include the following (non-exhaustive) list of risk management controls:

- A procedure for approval and authorisation of employees to use a DSA vehicles for work related business should be maintained by DSA management (refer to Driving for Work Checklist for further information);
- A procedure to ensure that drivers have the correct licence for the vehicle being driven. Certain categories of vehicles require a Driver Certificate of Professional Competence (see www.rsa.ie for further information);
- Systems to guarantee only competent and appropriate personnel are allowed to drive DSA vehicles; this should include criteria for driver selection;
- A maintained register of authorised vehicles. This may already be in place for asset management purposes;
- A maintained logbook of dates the vehicle is in use. Typically, a mileage log is kept in the vehicle;
- A risk assessment for driving for work activities. This should be carried out to identify appropriate control measures. Controls may include:
 - Providing instruction, training and information such as a driver’s handbook;
 - Implementing purchasing controls to ensure that the vehicles are fit for purpose;
 - Regular inspection, servicing and maintenance of DSA vehicles (records must be maintained);
 - Provision of safety and personal protective equipment (e.g. reflective PPE, traffic cones etc.);
 - Promoting good driver behaviour and the safe scheduling and planning of journeys;
 - Infection and prevention specific controls⁸ (where arising, for example Covid-19) including regularly disinfecting surfaces, such as the steering wheel, gear stick, handbrake, door handles, seats and the backs of seats and headrests.
- It is not necessary to complete a risk assessment for every unique journey. Risk assessments can be conducted for groups of employees to identify those who are at higher

risk due to the duration, frequency of journey, carriage of passengers or goods, etc.;

- Motor incidents should be reported on the National Incident Management System (NIMS). For DSAs with no access to NIMS, please contact the SCA via stateclaims@ntma.ie;
- Develop a driving for work checklist for your activities;
- Further information on driving for work including a driving for work checklist is available on www.rsa.ie.

x) When should you contact the SCA?

If you are uncertain as to whether State indemnity applies, or if you require risk management guidance, please contact your local insurance/risk manager where designated, or alternatively, the SCA via stateclaims@ntma.ie.

This State Indemnity Guidance is solely for use of members of the State indemnity schemes managed by the State Claims Agency, in accordance with its mandate under the National Treasury Management Agency (Amendment) Act, 2000 (Delegated State Authorities or DSAs). The SCA does not bear responsibility for use of or reliance on the guidance by any party other than a DSA.

⁸ Refer to additional information in *SIG 11 - Use of motor vehicles by DSAs during COVID-19*



SCA-AF-01 State indemnity confirmation DSA vehicle approval form To be used by Delegated State Authorities in registered DSA vehicles only

In Ireland, it is compulsory to have a motor insurance policy which complies with the terms of the Road Traffic Act 1961 and subsequent European Union Regulations and Directives. Part VI of the Road Traffic Act states that the compulsory insurance of mechanically propelled vehicles, does not apply to State vehicles.

State indemnity applies to all bodies where management of personal injury and third-party property damage claims against the body is delegated to the State Claims Agency (SCA) under the National Treasury Management Agency (NTMA) (Amendment) Act, 2000 and subsequent orders. The term Delegated State Authorities (DSAs) refers to all bodies named in these orders and therefore indemnified with respect to the authorised use of DSA vehicles for DSA business. A DSA vehicle for the purpose of State indemnity is a vehicle which is registered in the name of the DSA or is in the DSA's custody and control.

This document, *SCA-AF-01: State indemnity confirmation: DSA vehicle* is provided in lieu of a conventional insurance disc and should be placed in each vehicle owned by a DSA. *SCA-AF-01* confirms the DSA driver's indemnity arrangements and should be referred to in the case of an accident or if requested by An Garda Síochána.

State indemnity cannot be extended to cover privately owned vehicles. DSA vehicles are indemnified for work related business only, they should not be used for social, domestic or pleasure purposes.

SCA-AF-01 should be read in conjunction with the **SIG: 04 Use of Motor Vehicles by Delegated State Authorities** which can be found at <https://stateclaims.ie/learning-events/state-indemnity-guidance-use-of-motor-vehicles>.

State indemnity will not apply in the event of unauthorised use of this statement.

INSTRUCTIONS

The SCA does not issue individual confirmation of State indemnity for each DSA vehicle. These approval forms/discs are managed and distributed by the DSA.

The SCA recommends the following procedure:

1. Appoint an appropriate person to complete the Certificate of Indemnity for each vehicle in your DSA's fleet.
2. Appointed person contacts the SCA for SCA-AF-01 approval form.
3. Maintain a log of each certificate issued.
4. Place a copy of the certificate in each vehicle.

Certificates are not required to be re-issued annually.

Re-issue will only be required on SCA direction.

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STATE CLAIMS AGENCY

STATE INDEMNITY CONFIRMATION

Vehicle Owner:

Vehicle Registration:

Local Vehicle Indemnity Confirmation Number:

Indemnity

This is to certify that the legal owner of this vehicle and the authorised driver thereof, are indemnified by the State in respect of personal injury and third party property damage claims against either party, consequent upon the authorised use of the vehicle.

Director SCA

State Claims Agency, Treasury Dock, North Wall Quay, Dublin 1
Phone: +353 1 238 4900 Email: stateclaims@ntma.ie



What you should do in the event of an accident

In the event of an accident

- Switch off your engine, apply handbrake and leave your key in the ignition;
- Switch on your hazard warning lights;
- Use hazard lights, reflective advance-warning triangle, high visibility vest, torch as required;
- If vehicle is on fire leave the vehicle immediately;
- Do not move injured passengers unless they are in immediate danger;
- Give first aid if required;
- If vehicles are blocking the roadway or posing a danger to other road users, the roadway should be marked and the vehicle should then be removed as soon as possible. Take care when moving damaged or broken-down vehicles;
- Make every effort to warn oncoming traffic of the accident. Where the breakdown occurs near a bend give warning to traffic on both sides of the bend;
- Leaking fuel from a crashed vehicle is dangerous, so be careful approaching any vehicle after an accident;
- Stand clear of the vehicle;
- Move passengers to a safe location. No-one should stand between the vehicle and oncoming traffic;
- Ensure the vehicle is roadworthy before planning to continue any journey;
- Proceed to emergency station for breakdown on a motorway.

- If safe to do so, you must stop your car and remain at the scene of the accident for a reasonable time.
- All accidents involving State vehicles should be reported to An Garda Síochána. Where there are no injuries involved the Gardaí may not attend the scene. However, they may give you guidance on the course of action to take.
- At the scene, employees should take the following details from a third party:
 - Name/address/phone number of the driver;
 - Name/address/phone number of the car owner, (if different to the driver);
 - Make/model/registration number;
 - Motor insurance details (including expiry date of the policy).
- The DSA employee should provide the following details to the third party:
 - Name/work address/work phone number of the employee;
 - Make/model/registration number;
 - Motor insurance (indemnity) details which are as follows: State indemnity as provided by *State Claims Agency, Treasury Dock, North Wall Quay, Dublin 1 or phone (01) 238 4900.*
- Get the names, addresses and telephone numbers of any witnesses present, as these may be required if there is a dispute as to liability.
- Take photos of the scene of the accident if you have a camera. These should include photos of the cars before they are moved.
- You should obtain the name and number of the Garda to whom the accident is reported.

Do not admit liability at the scene of an accident. This is advised even if you feel you may be at fault. Politely assist the other driver (particularly where injured). Then exchange particulars and indicate to the other driver that you are going to report the matter to the State Claims Agency (SCA) and their queries should be directed to them thereafter. **At no stage should you enter into negotiations or advise the third party on liability issues.**

- Within 24 hours of an accident, an employee should complete an accident report form. Driver statements should be taken and forwarded to the Health and Safety Section (or appropriate section in your DSA) together with the completed accident report form, photographs, sketch and other relevant information.
- DSAs that have direct access via NIMS can submit incident reports online;
- DSAs without access to NIMS may submit incident reports as per their local incident reporting policy. A hard or softcopy of your own incident report form or alternatively the National Incident Report Form (NIRF), can be forwarded to the SCA by email or post. The report can then be sent to stateclaims@ntma.ie or by post to State Claims Agency, Treasury Dock, North Wall Quay, Dublin 1, D01 A9T8, DX 21, preferably within 48 hours.

The SCA will manage any subsequent claims as appropriate.

Note: Where there is no third party involvement or in cases where the DSA is fully liable, the DSA is responsible for the repair of their own vehicle as per local procedures.

Please refer to the Road Safety Authority website for more details.

LOCAL ARRANGEMENTS

- Carry out a vehicle pre-check before using the vehicle;
- Before setting off, always plan your route and check for weather and traffic updates;
- Always wear your seatbelt;
- Do not use mobile phones or similar hand held devices while driving;
- Take breaks when on long journeys;
- Do not take irresponsible risks such as tailgating, exceeding speed limits, undertaking or jumping red lights;
- In severe weather conditions [rain, fog, high winds, ice or snow], switch on your lights and slow down or even cancel your journey.

Insert summary details relevant to your DSA here



SCA-AF-02: State indemnity confirmation: hire vehicle approval form To be used by Delegated State Authorities in hire vehicles only

In Ireland it is compulsory to have a motor insurance policy which complies with the terms of the Road Traffic Act 1961 and subsequent European Union Regulations and Directives. Part VI of the Road Traffic Act states that the compulsory insurance of mechanically propelled vehicles, does not apply to State vehicles.

State indemnity refers to all bodies where management of personal injury and third-party property damage claims against the body is delegated to the State Claims Agency (SCA) under the National Treasury Management Agency (NTMA) (Amendment) Act, 2000 and subsequent orders. The term Delegated State Authorities (DSAs) refers to all bodies named in these orders and therefore indemnified with respect to the authorised use of DSA vehicles for DSA business. State indemnity applies to a hire or lease vehicle in the same way as it does to a DSA vehicle. Once approved by DSA management, this document, *SCA-AF-02: State indemnity confirmation: hire vehicle approval form* can be provided in lieu of a conventional insurance disc and should be placed in each vehicle hired or leased from an approved vehicle supplier. *SCA-AF-02* confirms the DSA driver's insurance arrangements and should be referred to in the case of accident or if requested by An Garda Síochána.

A vehicle hire company may request confirmation of indemnity/insurance from the DSA. A copy of SCA-CS-01: State indemnity confirmation statement can be provided in lieu of an insurance policy.

SCA-AF-02 should be read in conjunction with **SIG: 04 Use of Motor Vehicles by Delegated State Authorities** which can be found at <https://stateclaims.ie/learning-events/state-indemnity-guidance-use-of-motor-vehicles>.

State indemnity will not apply in the event of unauthorised use of this statement.

INSTRUCTIONS

The hire vehicle form should be managed and distributed by the DSA.

The SCA recommends the following procedure:

1. Appoint an appropriate person to complete the Certificate of Indemnity for each hire/leased vehicle in your DSA's fleet.
2. Appointed person contacts the SCA for SCA-AF-02 approval form.
3. Maintain a log of each certificate issued.
4. Place a copy of the certificate in the hire vehicle.
5. Remove the certificate following hire conclusion.

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STATE CLAIMS AGENCY

STATE INDEMNITY CONFIRMATION – Hire Vehicle

DSA Name:

Vehicle Registration:

Vehicle Hired From:

Hire Duration: XX to XX

Authorised Driver(s)

DSA Authorisation:

Indemnity

This is to certify that the authorised drivers of this vehicle are indemnified by the State in respect of personal injury and third party property damage claims against either party, consequent upon the authorised use of this Hire vehicle.

Director SCA

State Claims Agency, Treasury Dock, North Wall Quay, Dublin 1

Phone: +353 1 238 4900 Email: stateclaims@ntma.ie

Please ensure that this document is removed from hire vehicle and filed appropriately following hire conclusion.



What you should do in the event of an accident

In the event of an accident

- Switch off your engine, apply handbrake and leave your key in the ignition;
- Switch on your hazard warning lights;
- Use hazard lights, reflective advance-warning triangle, high visibility vest, torch as required;
- If vehicle is on fire leave the vehicle immediately;
- Do not move injured passengers unless they are in immediate danger;
- Give first aid if required;
- If vehicles are blocking the roadway or posing a danger to other road users, the roadway should be marked and the vehicle should then be removed as soon as possible. Take care when moving damaged or broken-down vehicles;
- Make every effort to warn oncoming traffic of the accident. Where the breakdown occurs near a bend give warning to traffic on both sides of the bend;
- Leaking fuel from a crashed vehicle is dangerous, so be careful approaching any vehicle after an accident;
- Stand clear of the vehicle;
- Move passengers to a safe location. No-one should stand between the vehicle and oncoming traffic;
- Ensure the vehicle is roadworthy before planning to continue any journey;
- Proceed to emergency station for breakdown on a motorway.

- If it is safe to do so, you must stop your car and remain at the scene of the accident for a reasonable time;
- All accidents involving State vehicles should be reported to An Garda Síochána (AGS). Where there are no injuries involved the Gardaí may not attend the scene. However, they may give you guidance on the course of action to take.
- At the scene, an employee should take the following details from the third party:
 - Name/address/phone number of the driver;
 - Name/address/phone number of the car owner, (if different to the driver);
 - Make/model/registration number;
 - Motor insurance details (including expiry date of the policy).
- The DSA employee should provide the following details to the third party:
 - Name/work address/work phone number of the employee;
 - Make/model/registration number;
 - Motor insurance (indemnity) details which are as follows: State indemnity as provided by State Claims Agency, Treasury Dock, North Wall Quay, Dublin 1 or phone (01) 238 4900.
- Get the names, addresses and telephone numbers of any witnesses present as these may be required if there is a dispute as to liability.
- Take photos of the scene of the accident if you have a camera. These should include photos of the cars before they are moved.
- You should obtain the name and number of Garda to whom the accident is reported.

Do not admit liability at the scene of an accident. This is advised even if you feel that you may be at fault. Politely assist the other driver (particularly where injured). Then exchange particulars and indicate to the other driver that you are going to report the matter to the State Claims Agency (SCA) and their queries should be directed to them thereafter. **At no stage should you enter into negotiations or advise the third party on liability issues.**

- Within 24 hours of an accident, an employee should complete an accident report form. Driver statements should be taken and forwarded to the Health & Safety Section (or appropriate section in your DSA) together with the completed accident report form, photographs, sketch and other relevant information.
- DSAs that have direct access via NIMS can submit incident reports online;
- DSAs without access to NIMS may submit incident reports as per their local incident reporting policy. A hard or softcopy of your own incident report form or alternatively the National Incident Report Form (NIRF), can be forwarded to the SCA by email or post. The report can then be sent to stateclaims@ntma.ie or by post to State Claims Agency, Treasury Dock, North Wall Quay, Dublin 1, D01 A9T8, DX 21 preferably within 48 hours.

The SCA will manage any subsequent claims as appropriate.

Note: Where there is no third party involvement or in cases where the DSA is fully liable, the DSA is responsible for the repair of their own DSA vehicle, as per local procedures.

Please refer to the Road Safety Authority website for more details.

DRIVING SAFELY

- Carry out a vehicle pre-check before using the vehicle;
- Before setting off, always plan your route and check for weather and traffic updates;
- Always wear your seatbelt;
- Do not use mobile phones or similar hand held devices while driving;
- Take breaks when on long journeys;
- Do not take irresponsible risks such as tailgating, exceeding speed limits, undertaking or jumping red lights;
- In severe weather conditions [rain, fog, high winds, ice or snow], switch on your lights and slow down or even cancel your journey.

This State Indemnity Guidance is solely for use of members of the State indemnity schemes managed by the State Claims Agency, in accordance with its mandate under the National Treasury Management Agency (Amendment) Act, 2000 (Delegated State Authorities or DSAs). The SCA does not bear responsibility for use of or reliance on the guidance by any party other than a DSA.