

What if?
Answered

TRUCK

BACKHOUSE
JONES

**UP is the
future for legal advice**

24 hour service

Fixed fee

**£7.50 to £10 per
vehicle per month**

Hauliers

Do you charge by the hour? We don't.

Our monthly BACKup service works in two ways. Operators pay based on their authorised fleet size to ensure daily management of employees and compliance and secondly to ensure you don't have to find thousands of pounds if a calamity occurs in the blink of an eye.

Let's be frank, if a crisis happens the time for preparation has already passed.

Our BACKup provides 24/7 access to expert transport lawyers regarding regulatory and HR matters and representation at Public Inquiry or Employment Tribunal. We will work to keep *you* out of court as we have skin in your game. We want *you* to get it absolutely right. We want your systems to be efficient so we are not at an employment tribunal or butting heads with The Traffic Commissioners about revocation on your behalf but at our expense.

This brings a resourcefulness and intensity to our guidance enabling *you* to improve *your* compliance.

Unlike lawyers charging you an hourly rate we share the risk with you and therefore train your team to improve compliance.

BACKup provides operators with industry specific solutions for the flexible and affordable monthly fee based on their authorised fleet size. In addition our compliance reviews and training ensure systematic benchmarking across your operation. Our channelled overview of your business risk allows you to maximise your profit with compliance and HR regimes exceeding industry standards.



On a yearly basis we deal with:

10,000

- Client calls
- Training sessions
- Compliance reviews
- Webinars

What do I get?

Regulatory advice, defence and representation

Comprehensive advice on how to obtain and retain your O licence.

The scheme includes advice on:

- Applying for an O licence
- Providing and satisfying undertakings
- Changes to your Transport Managers
- Changes to your operating centre
- Changes to fleet size
- Changes of entity/directors
- Notifications to TAO
- Matters relating to financial standing
- Notifications of convictions
- DVSA intervention whether VE or TE
- Preparing detailed responses to prohibitions (S marked or PG9)
- Dealing with fixed penalties and/or immobilisation
- How HSE and environmental prosecutions can impact on the operator's O licence
- The implications of Insolvency/bankruptcy on the operator's O licence

In addition BACKup provides full representation:

- At a preliminary hearing before the Traffic Commissioner
- At a Senior Team Leader Meeting
- At a Public Inquiry
- For prosecutions against the operator (TM's & drivers not included) in relation to matters arising from the operation of a vehicle for Construction & Use (weight/length/condition), Drivers Hours and Tachograph Equipment

Employment advice

Our seamless service is provided to guide you through the irksome management of employees.

BACKup provides a complete HR service offering daily practical advice and representation at an Employment Tribunal.

This includes:

- Updating contracts of employment
- Updating handbooks
- Updating employment policies
- Drafting compromise agreements
- Representation at an Employment Tribunal

Advice & assistance on all standard employment enquiries including:

- The Working Time Regulations 1998 (as amended)
- The Road Transport (Working Time) Regulations 2005
- Misconduct and disciplinary matters (including dismissal)

- Wages, bonuses, attendance bonuses, overtime and general pay disputes
- Holidays
- Unlawful deduction from wages, loans and training costs
- Sickness absence and long term illness
- Maternity and Paternity leave
- Parental leave and time off for dependants
- Flexible working requests
- Confidentiality and restrictive covenants
- The Equality Act 2010 (including sex, disability, race, age, sexual orientation, disability related discrimination)
- Agency Worker Regulations 2010
- Issues relating to casual, self employed and agency staff

We know transport law
NDAB wards

What if I wanted more? We'll put our BACK into it.

BACKup includes a free legal consultation and discounted rates in the following areas:

Commercial

- Commercial contracts (including terms and conditions of trading, supply agreements, contracts for services and agency, distribution and franchising agreements)
- Commercial disputes arising out of any aspect of the business (for example, breach of contract or sale of goods claims)
- Debt recovery
- Advice on clandestine entrants

Property

- Sale & purchase of property and land
- Leases
- Dilapidation issues
- Landlord & tenant issues
- Option agreements
- Re-financing

Corporate

- Mergers & acquisitions
- Company disposals
- Management buy-ins / buy-outs
- Group and company restructures
- Joint ventures
- Investment and shareholders agreements
- Banking and finance
- Corporate recovery
- Company formations
- Partnership and LLP advice & information
- Corporate governance



How much for my fleet?

Additional support

Number of vehicles	Printed BACKchat Seminar priority	Regulatory	Employment	Regulatory & Employment	Regulatory, Employment, Compliance Review or Training	Regulatory, Employment, Compliance Review & Training
1-10	✓	£75	£75	£100	£180	£250
11-20	✓	£150	£150	£200	£280	£350
21-30	✓	£225	£225	£300	£380	£450
31-40	✓	£300	£300	£400	£480	£550
41-50	✓	£375	£375	£500	£580	£650
51-60	✓	£450	£450	£600	£680	£750
61-70	✓	£525	£525	£700	£780	£850

Figures quoted are monthly
Price on application for 75+ vehicles
VAT and disbursements charged in addition

Acceptance of an applicant by Backhouse Jones onto the BACKup scheme is entirely at its discretion. Backhouse Jones reserves the right to amend the price should the number of authorised vehicles of the applicant change or if the number of employees of the applicant are disproportionate to the number of vehicles authorised.





feed **NDAB**

“The Backhouse Jones team offers constructive, expert advice, bringing clarity to any situation. They deal with problems pragmatically, sensitively and speedily. From the initial conversation to successful outcome you can feel secure in the knowledge that their expertise is with you each step of the journey. Don’t expect grey people in grey suits, these guys are technicolour.”

Lesley O’Brien
Partner at Freightlink Europe

What is not included in the Scheme

Important: Exclusions and limitations to the provision of the BACKup package.

- Prosecutions, proceedings or investigations (whether criminal or civil) in any Court, Tribunal, Inquiry or Inquest which are within the contemplation or are brought against or notified to the applicant prior to or within the first three months of the applicant's subscription to BACKup.
 - Prosecutions, proceedings or investigations (whether criminal or civil) in any Court, Tribunal, Inquiry or Inquest brought against the applicant arising out of or relating to death, bodily or psychological injury, property damage, pollution and other environmental issues, health and safety and driver offences (for the purpose of this exclusion driver offences shall include but shall not be limited to the following: driver-related manslaughter, dangerous, careless or inconsiderate driving; driving or attempting to drive under the influence of alcohol or drugs; failure to comply with signs, signals directions or restrictions, speed limited; obstruction and parking; failure to furnish information; driving without insurance or driving licence or Driver CPC; the use of hand-held devices whilst driving; failure to wear seatbelt).
 - Prosecutions, proceedings or investigations (whether criminal or civil) in any Court, Tribunal, Inquiry or Inquest brought against the applicant where the allegation is one of dishonesty, intentional or reckless acts or omissions of the applicant and/or the applicant's servants or agents.
 - Any compensation or other awards or costs ordered or agreed in the course of employment cases.
 - Any penalty, fine or other similar imposition, third-party costs or other expenses arising under any fixed penalty process or other penalty scheme or deposit scheme (criminal or civil) howsoever arising (for example: LEZ or any other emissions scheme, congestion scheme, immigration and asylum, foreign deposits, etc).
 - All and any matters Backhouse Jones are prevented from acting on due to a conflict of interest.
 - Any advice in relation to the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.
 - Fines, damages, awards, costs or similar expenses ordered against or agreed to be paid by the applicant in the course of or in conclusion of any criminal or civil proceedings.
 - The cost of appeal against convictions, fixed penalties or other similar impositions, civil or criminal or the cost of appeal against any decision of any Employment Tribunal or Traffic Commissioners.
 - Discrimination cases that are listed for more than one day are excluded and the entire matter will be charged at a discounted hourly rate plus VAT and disbursements.
 - All matters arising out of/in respect of war, riots, civil commotion, insurrection and other force majeure events.
 - Any legal expenses exceeding £50,000 per matter.
 - Any legal costs and/or fees (including any third party fees) that have not been approved (in writing) by Backhouse Jones.
 - Competition related matters.
 - Driver offending is not included within the scheme.
 - Cases involving allegations of clandestine entrants.
 - Any matter which is covered by an insurance policy maintained by the applicant.
 - All and any matters upon which the applicant fails to take or follow any and all advice given to the applicant by Backhouse Jones.
 - All and any matters the applicant has failed to tell Backhouse Jones about in a timely manner. In the case of employment matters, this should be at the point of ACAS Early Conciliation Notification or before.
 - All matters which Backhouse Jones have advised the applicant it would be commercially prudent to settle, but despite this, the applicant fails to settle nonetheless.
 - All and any matters where the applicant has failed to make material disclosure to Backhouse Jones of all of the relevant facts to the case.
 - All matters arising out of the use of any non-operator licence fleet by the applicant and/or drivers of any such vehicles.
 - All matters in relation to Non-Transport Employees. Non-Transport Employee means any employee of the applicant who is not a Transport Employee. Transport Employee means any employee whose job it is to drive the applicant's vehicles (or those used by the applicant) which require the applicant to hold an operator's licence, or any employee of the applicant whose role is central to compliance with the applicant's licences' undertakings.
 - All and any matters arising outside England and Wales.
 - All and any matters governed by any laws other than the laws of England and Wales.
- In the event that Backhouse Jones advises on any matters which are excluded from the scheme (hereunder or otherwise) it reserves the right to charge the applicant at its standard hourly rates in respect of the same.

Articulate advice

BACK

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The South

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