

REGULATORY SERVICES

*"It takes 20 years to build a reputation,
and 5 minutes to ruin it. If you think
about that, you'll do things differently."*
Warren Buffett





CONTENTS

Introduction	01
Our Team is ready to defend your reputation	02
If the worst should happen...	03
We understand your business	04
We're more than just lawyers	05
Despite the best plans, accidents still happen	06
National Coverage	07
Our Team	08
Our Specialist Services	10
Sector Expertise	15



You are reading this because you are a responsible employer.

You care about your organisation, your team. You care about those who may be affected by your organisation and its impact on the environment. You care about your organisation's reputation, sustainability and managing risk proactively.

Working with us reinforces your team. We're with you every step of the way, supporting you with the specialist advice, knowledge, and representation you need to protect and develop your organisation within a regulatory framework.

We specialise in advising and supporting our clients during regulatory investigations, corporate manslaughter, health and safety investigations, transport and road traffic compliance, food and product safety breaches, and compliance with environmental law. We work across both the private and public sector, including independent and public sector health clients.

IT'S UP TO YOU TO FOCUS ON YOUR BUSINESS; IT'S OUR JOB TO FOCUS ON YOU.



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OUR CRISIS ROOM APP OFFERING

The DACB Crisis Room app is a unique crisis management platform designed by our legal crisis management experts, helping your business and team, to prepare, respond, manage and learn from major incidents from a single digital location.

Providing peace of mind when exposed to Health Safety and Environment major incidents, the DACB Crisis Room app enables:

- **Immediate advice to your organisation and key employees** through our 24/7 emergency helpline.
- **Incident management planning, training and strategic advice** to your employees to instil confidence in them in the event of a serious incident.
- **A single digital location from which to manage an ongoing crisis**, enabling actions to be tracked and key documents to be preserved.
- **National representation** for your organisation from our specialist regulatory lawyers through all the stages of regulatory investigations and inquests.
- **Support** for early management of any reputational impact for your organisation, including PR support.
- **Confidence** that your organisation's governance arrangements develop and remain fit for purpose by managing annual reviews and incident reviews through the app.





Our Team is ready to defend your reputation

- With over 40 specialist lawyers throughout the UK and Ireland we have the resource to support you however big or small the problem;
- Subject matter experts in health and safety, environment, motor crime, fire, food and product safety;
- Our lawyers have experience of all regulatory tribunals regularly appearing in Coroners courts, Public Enquiries, Magistrates and Crown Courts , Traffic Commissioner and Employment Tribunals (and their equivalents in Scotland, Northern Ireland and the Republic of Ireland);
- Our lawyers are highly responsive; we operate a 24/7 365 emergency response service;
- Our lawyers are available to provide advice to your business where and when you need it, we have lawyers who are local to you, generally within 2 hours;
- Our lawyers are highly effective regularly ensuring that no further action is taken, organisations and individuals are acquitted of criminal charges or in the event of conviction the sentence is the best we can achieve for you;
- Our lawyers have been involved in most of the high profile regulatory investigations and Prosecutions.

"From the very beginning everything was handled and explained in a very professional and polite manner and the advice and support has been invaluable...Regular updates and prompt replies were a constant theme that provided me the reassurance that we had appointed the right team."

Matt O'Conner, Managing Director, John O'Conner
Grounds Maintenance



BUT IF THE WORST SHOULD HAPPEN...

"In seeking to fully understand my company's principles and values before charting a path, we together ended up with a very satisfactory outcome, whereas without fully engaging in this way, I doubt whether we would have been successful."

Steve Roebuck, SHEQ and HR Manager, Norbord Europe Limited.

How will you manage HR issues arising out of an incident?

What insurances do you have?

EL? PL? D&O? Legal Expenses?

What arrangements are in place for communications with employees, customers, and suppliers?

Do you have a press and social media policy?

Impact on contracts?

Who leads on crisis PR?

Have you reported the incident to the relevant regulator?

Which regulator is leading the investigation?

What communications/ visits etc. have taken place with regulator?

Have you been served with Enforcement Notices?

A Crisis Response Plan, or a Business Continuity Plan?

What about an Incident Response team?

Who leads that team?

Who is the single point of contact?

Legal Professional Privilege?

Do you have...



WE UNDERSTAND YOUR BUSINESS

Questions like these can be daunting at the best of times, and during a crisis may be more than you can handle.

Since February 2016 more than 60 entities have been fined over £1 million for regulatory breaches, and many more individuals have received custodial sentences for driving and regulatory offences.

Our approach is to know your needs, before you need them. We anticipate what questions you will need to know the answers to, and prepare you, for if and when they are asked.

We work with your other stakeholders, including your insurers and brokers, to ensure the very best outcome for your organisation.

"We are not just lawyers, members of our team have worked in businesses like your own, or as regulators, or as members of the judiciary; we have seen the challenges you face from all angles."



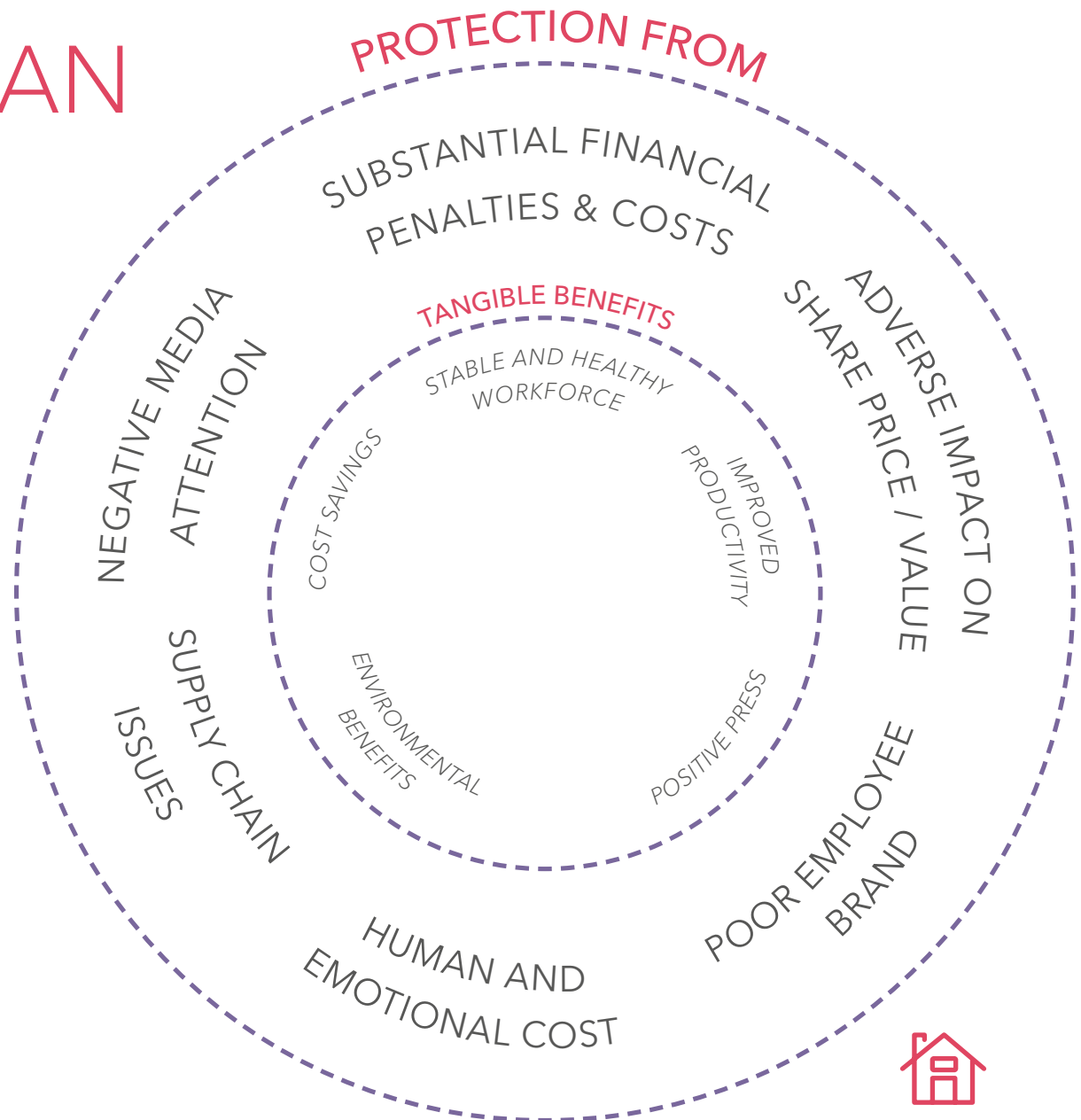
WE'RE MORE THAN JUST LAWYERS

WE'RE YOUR BACK UP

Preventing a crisis is easier than fixing one. Our team's proven track record of delivering first class training to our clients is what sets us apart from the rest. We tailor our training to suit your specific needs, and can even incorporate it as a supplement to your business's existing training programmes.

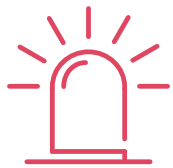
Thinking ahead and ensuring you're prepared can provide your business protection from:

- Substantial financial penalties and costs
- Adverse impact on share price / value
- Negative media attention
- Supply chain issues
- Poor employee brand
- Human and emotional costs
- Management time being re-directed



DESPITE THE BEST PLANS, ACCIDENTS STILL HAPPEN

The difference is, when working with us, we'll be there to help. We're there every step of the way to reassure, support, and protect you and your organisation.



Accidents don't adhere to the 9-5 hours of the working day, and neither do we. Our emergency response service is available 24 hours a day, 7 days a week. Our clients benefit from the peace of mind knowing that no matter what happens, and no matter what time, one of our regulatory lawyers will be available to advise on those significant first steps during a crisis.



We also provide advice and drafting of queries and disputes in respect of any Fee For Intervention (FFI) invoices, which can often run into the thousands of pounds.



The initial stages of an investigation are critical. We can help protect your interests by assisting in the initial investigation stage, and/or by ensuring that investigations are undertaken under the protection of legal professional privilege.



In difficult situations, speedy decisions are often needed. We provide a swift and realistic opinion on the merits of appealing enforcement notices within the strict 21 day time frame for lodging appeals.



For less urgent instances we also offer ad-hoc health and safety legal advice on a range of regulatory enquiries, from advice on reporting requirements, to managing requests from the authorities



With a combination of services available in our Gold and Silver retainer packages, our Health and Safety Retainer package delivers you access to all of the services listed here, as well as board briefings, training sessions and a discount on our hourly rates for any additional work.









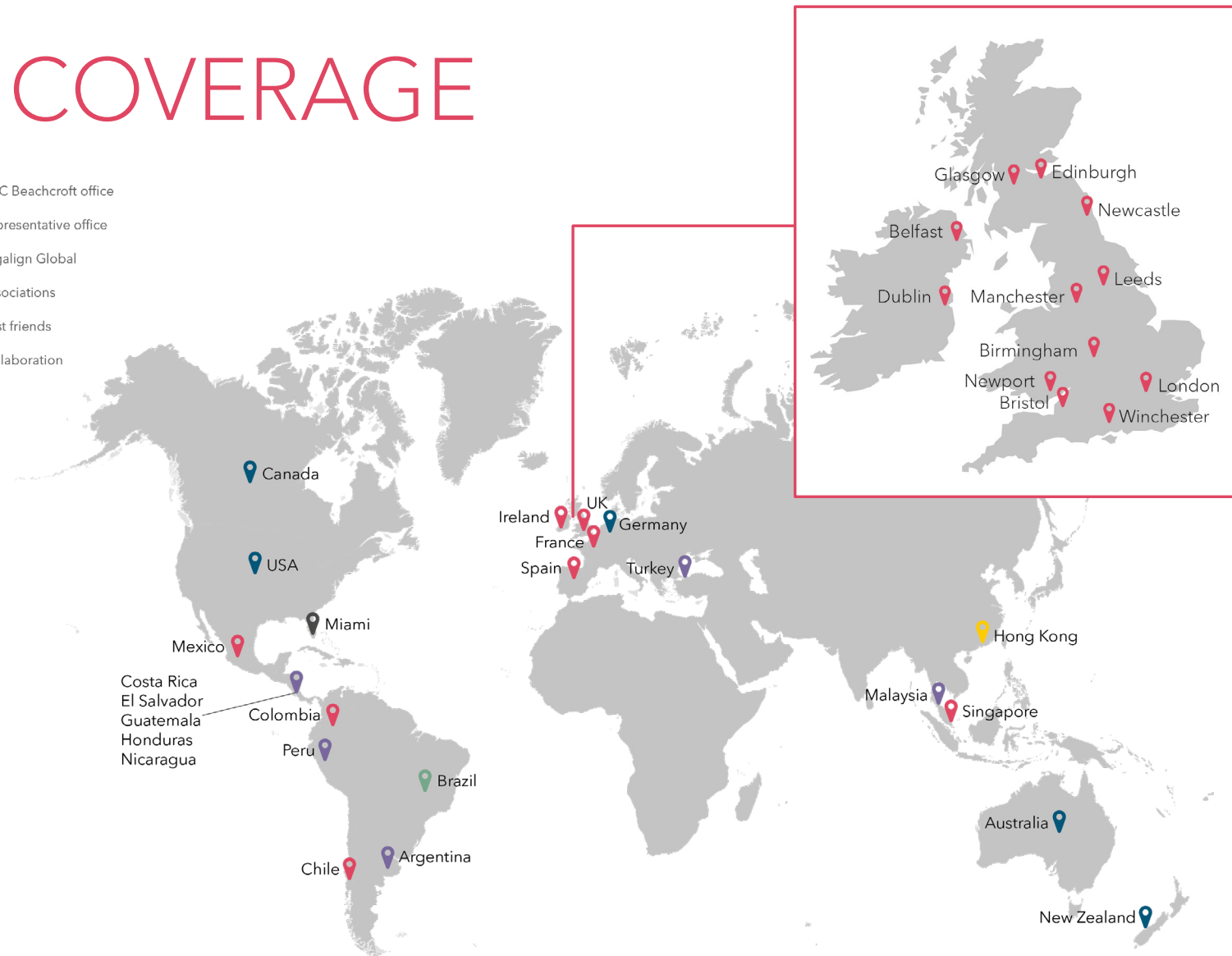
NATIONAL COVERAGE

We are one of the largest regulatory teams in the UK enabling us to provide extensive national coverage, supported by our international Legalign offering where required.

Our offices, and specialist lawyers are based across the country from Glasgow to Newport.

We're confident that our local knowledge engaged through local presence combined with the strength and depth of knowledge within our specialist service teams mean that we're uniquely placed to provide the best advice to your business, when and where you need it.

-  DAC Beachcroft office
-  Representative office
-  Legalign Global
-  Associations
-  Best friends
-  Collaboration



YOUR TEAM

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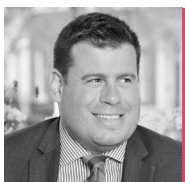


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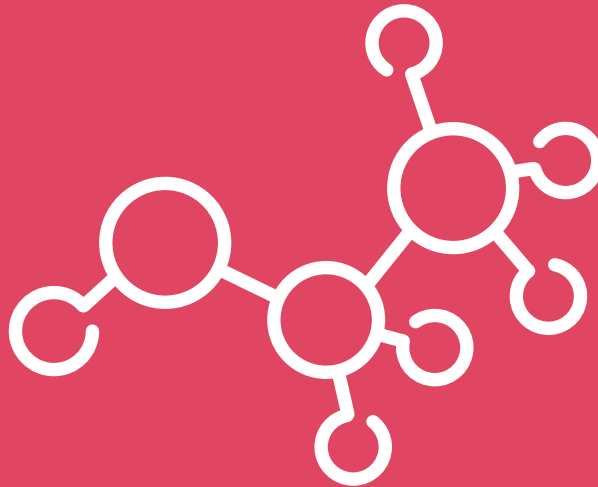
OUR SPECIALIST SERVICES



Criminal Motor Defence



Environmental



Health & Safety
Commercial Solutions



Health & Safety
Insurance Solutions



CRIMINAL MOTOR DEFENCE



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PRODUCT PAGE](#)

A SPECIALIST TEAM

Our market leading criminal motor defence team is made up of specialist lawyers, geographically spread across the UK. We deal with the highest volume of fatal driving cases nationwide of any firm, and are the go to team for insurers, brokers, and corporate clients.

Our dedicated 24 hour service provides drivers with access to early advice from a specialist lawyer immediately after a collision.

Our service includes:

- A dedicated 24/7 helpline connecting your drivers with a specialist lawyer for advice as soon as a collision occurs.
- Attendance at police station interviews and early dialogue with the police to advise the driver from the moment the collision occurs.
- Pragmatic advice as to the charges faced, ramifications of those charges, and advice/representation in the event of being charged.

"The support we get from DACB has now become an integral part of our internal process for dealing with major road incidents. They take the time to understand our business and the way we work, which has resulted in them providing a first class service each and every time we have called for their help."

SHEQ Director of large haulage company

THE RIGHT PEOPLE

Each member of our team understands the anxieties that drivers experience when they are unexpectedly implicated in a criminal investigation following a fatal or serious injury road traffic collision.

We have truly national coverage with teams based in the North, the Midlands, Wales, the South East, and the South West of England. We also have a team in Scotland and Northern Ireland which enables us to offer a true cross jurisdictional service

Our lawyers are specialist criminal lawyers with years of experience in the criminal justice system. The advice is tailored to the individual in every case.

Having our criminal motor defence lawyers work in conjunction with our catastrophic injury team avoids the unnecessary duplication of costs and ensures that issues of civil and criminal liability are suitably aligned.

Our early involvement ensures access to critical information which is otherwise unavailable until the conclusion of any criminal investigation and subsequent proceedings allowing for an early and credible assessment of civil liability by our specialist catastrophic injury lawyers. In cases where primary liability may be difficult to dispute, early access to information enables issues pertaining to contributory negligence to be identified, which could significantly reduce the value of any claim.



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VIEW OUR
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ENVIRONMENTAL

A SPECIALIST TEAM

Our specialist regulatory team includes lawyers with expertise in Environmental Regulatory matters including waste, pollution and environmental permitting. Our lawyers have expertise in advising on:-

1. Incident Investigation & Remediation
2. Representation throughout regulatory investigations and prosecution
3. Negotiating Enforcement Undertakings
4. Advice & Training
5. Due Diligence

"It was made easier with your focus and attention to detail, dealing with the case in the most professional manner. it was a pleasure working with you and I would wholeheartedly recommend your services."

THE RIGHT PEOPLE

We have an agile team whose approach is to mobilise at short notice to ensure that advice is offered at the earliest opportunity and evidence is secured and preserved.

We provide advice on legal professional privilege and internal investigations, and support businesses through the regulator's investigations.

Our team has the expertise to work together with businesses and insurers and to co-ordinate the post incident response working with all stakeholders to ensure that investigation and remediation is conducted without prejudicing any regulatory investigation or the defence to civil proceedings.

Our expertise spans a wide range of sectors including utilities, construction, agriculture and healthcare.



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HEALTH & SAFETY COMMERCIAL SOLUTIONS



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A SPECIALIST TEAM

We pride ourselves on the quality and responsiveness of our service to clients in the aftermath of a serious incident resulting in serious injury or death, however our clients are increasingly aware of the reputational and financial risk arising from a major incident and are seeking to ensure that they mitigate those risks

so they can avoid further costly action and regulatory investigation. Our services include;

- Appealing enforcement action, and undertaking appeals where appropriate, querying fee for intervention invoices;
- Assisting with internal accident investigations and defence work, and quality reviews of accident investigations;
- Policy and procedure reviews, due diligence audits for mergers and acquisitions; and advice around identified roles and responsibilities in contracts and tenders;
- Wide range of training sessions from accident investigation to behavioural safety; and
- Range of mock trials and sentencing hearings.

THE RIGHT PEOPLE

Our clients people are often their strength and our people are our strength.

We have a team of specialist Lawyers across the UK meaning one of our team is always on hand and nearby to provide regional advice and support, and call upon the national team for further support in larger cases.

Our record of dealing with high profile, complex cases is evidenced by our Tier 1 Legal 500 ranking regionally, and our Lawyers are involved in most of the national headline health and safety cases.

Our Lawyers relate and communicate with our clients providing clear and practical advice. Our clients have seen the effect our Lawyers can have, from managing expectations in the Board Room as to

potential implications following an accident or signing up to commercial contracts, to effecting cultural

and behavioural safety change from the 'boots on the ground' through proactive training sessions. As one client said *"he is consistently accurate, so that, importantly, we trust his advice and judgement"*.



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"I wanted to thank you for organising the workshop, it really opened up my eyes to that side of things, which of course we never think will happen to someone. The shock of the story unravelling and how mistakes were made, certainly showed us how we could face a situation similar to that."



HEALTH & SAFETY INSURANCE SERVICES



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PRODUCT PAGE](#)

A SPECIALIST TEAM

DAC Beachcroft has one of the largest Safety, Health and Environment (SHE) teams in the UK. The team offers extensive national coverage to clients, with more than 30 SHE specialist lawyers throughout the UK.

The team is routinely instructed by a large majority of the top 10 liability insurers as well as brokers and self-insured organisations. We are considered especially effective in cases involving insurers' premier corporate clients.

Insurers prize our ability to get to grips with complex and high profile cases. Many of our cases receive significant media interest and we well understand the importance of protecting insurers' and their insureds' reputational, as well as financial, interests.

As a leading law firm in the insurance sector, our regulatory lawyers understand what's important for insurers and their insured in a health and safety or environmental case.

We have particular expertise in Construction, Manufacturing, Agriculture, Healthcare and Public Sector, Retail and Rail/Transport sectors and provide bespoke products and services to your insured in these areas. We will often work with our insurer clients to assist in building their relationships with their larger corporate insured.

"I would recommend them for their strength in depth, expertise, knowledge of similar cases, very good understanding of my sector, diligence, organisation and responsiveness"

Legal 500

BENEFITS OF INSTRUCTING DAC BEACHCROFT

The benefits to your insured of instructing one of the leading health, safety and environmental practices in the country are perhaps obvious. We firmly believe our insurer clients benefit from our involvement in the following ways:

- Improve claims defensibility and identify potential contribution claims at the earliest stage.
- Control/collation of evidence at the earliest opportunity.
- Avoiding damaging disclosure and poorly prepared accident reports.
- Enable insurers to make an early determination of civil liability and potential contribution claims.
- Identify large loss indicators at the earliest stage.
- Seamless liaison with colleagues handling civil cases within DAC Beachcroft.
- Provide cost effective representation and manage the risk of very large cost claims should the insured instruct another firm.
- Ensure early and accurate reserving.
- Enhance long-term relationships with your insured by providing industry-leading legal support on active cases as well as through education, training, and support.



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SECTOR EXPERTISE



Construction



Public Sector



Retail & Leisure



Transport & Logistics



CONSTRUCTION

"On behalf of the shareholders I would like to take this opportunity to thank both of you for the excellent work to win the case. I highly appreciate the dedication and determination of your work."

We understand that the highest standards of safety are of paramount importance to the success of your business. We have a wealth of expertise in advising all duty holders under the CDM Regulations 2015 including principal contractors and principal designers.

We regularly provide urgent advice and support to construction professionals and organisations in the immediate aftermath of a serious or fatal incident when they may be facing criminal investigations into corporate manslaughter and health and safety offences. Not only are we there to steady the ship when things go wrong, we are also there to provide advice on risk management.

We achieve this by delivering bespoke training solutions, combined with leadership and strategic reviews to help you minimise the risks of incidents, avoid criminal investigations and help build a resilient workforce.

We are also aware that the biggest impact of regulatory investigations is not always just the direct financial impact of a fine, but sometimes other issues such as reputational damage, business interruption, commercial implications and the emotional impact on frontline workers and senior management. We will gain a thorough understanding of your business so that these factors are always accounted for in any strategic advice we provide.

We offer a range of bespoke training solutions for the construction sector which includes interactive workshops tailored to the specific duty holder under the CDM Regulations 2015. These are designed to demonstrate how early actions can influence any future decision to prosecute and highlight key trends based on our extensive knowledge of the sector.



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Case Examples:

- We represented a contractor in respect of a police and HSE investigation arising out of a fatal accident when the contractor's employee fell from height when he had failed to attach his safety harness. We advised the contractor through all the key stages including dealing with onerous disclosure requests by the HSE; the interview under caution and a two week inquest. Following the inquest, the contractor was charged with a breach of the CDM Regulations 2015. The case proceeded to trial where we secured an acquittal.
- We acted in a high profile case for a company and its managing director in the defence of charges for health and safety breaches and gross negligence manslaughter following the death of a pedestrian struck by metal frames from a construction site. This was a complex case involving 7 defendants.
- We acted for a large mechanical and electrical contractor in respect of a prosecution by the HSE arising out of an incident in the pump room of a housing development when the pump tipped over and fell on one of the workers. Our client was prosecuted for an alleged breach of the CDM Regulations 2015 for failing to plan, manage and monitor construction work. The case proceeded to a trial at the crown court four years after the incident where our client was found not guilty. Our client not only avoided a potential fine of over £500,000 but also any adverse publicity and reputational damage that could have flowed from a conviction.
- We represented a Property Development Company and its director who were both investigated by the Police and HSE following a fatal accident to a sub-contractor's labourer. We provided advice and representation to both defendants throughout the criminal investigations, inquest process and ultimately prosecutions brought under the Work at Height Regulations and the Health and Safety at Work Act 1974. Following guilty pleas on a limited basis, by advancing strong mitigation we were able to persuade the Court to limit the fine of the company to £20,000 and to impose a suspended custodial sentence on the director.



PUBLIC SECTOR

"We have found the team at DAC Beachcroft to be brilliantly helpful, informed and specific in their advice. ..The team take the time to understand your organisational context and work with you to find the right solution."



VIEW OUR
SECTOR PAGE

MEETING PUBLIC SECTOR NEEDS

We are part of the UK's largest defendant public sector team acting for public sector organisations including local authorities, NHS Trusts, universities, charities and other third sector organisations.

This experience, means that we have an understanding of the challenges you face and the constraints within which you work, including the wider political framework. We are aware of the impact that serious incidents can have on your organisations, your clients, your staff and the community you serve and are able to guide you with sensitivity through what can be a challenging time. We focus on understanding and responding to your needs, supporting you when and where you need it most, to achieve the best outcome for your organisation.

Our expertise across the firm, means we can advise on all legal proceedings and investigations arising from an incident, whether that be an internal investigation, a statutory review, an inquest, public inquiry, a criminal or regulatory investigation and proceedings, civil proceedings or judicial review. We work closely with specialist colleagues from different disciplines to ensure a seamless approach and strategy.

HOW CAN WE HELP?

- Regulatory investigations and prosecutions - our national team is very experienced at advising on investigations including health and safety, environmental, food safety, road traffic inquiries, health and social care sector and gross negligence and corporate manslaughter investigations.
- Inquests - we have a team of specialist lawyers who advise upon complex inquests including Article 2, regularly acting for public sector organisations.
- Public inquiries - we have extensive experience representing organisations at high profile public inquiries including currently acting for a Core Participant in the Grenfell Tower inquiry. We offer a team of specialists across different disciplines including regulatory, health and safety, litigation and public law.

- Advice - we can advise on specific health and safety or environmental risks, the implications of restructuring/ outsourcing on an organisation's regulatory liabilities or undertake a review of policies and procedures.
- Training - we offer a wide selection of training sessions to suit your organisation and training need. All can be offered via webinar.
- Communications and reputation management - a key part of responding to an incident will be your communications strategy, we can advise on your internal and external communications.

CASE EXAMPLES

- Representing a local authority in an ongoing HSE investigation following a serious accident to a child at school.
- Defending an NHS Trust in a corporate manslaughter prosecution following the death of a patient. The Judge found there was no case to answer and the Trust was acquitted.
- Providing training to a university on managing the risks of student suicide.
- Representing a local authority social services department at a complex inquest following a domestic homicide. This involved issues of mental capacity and the duties and powers of local authorities.
- Acting for an ALEO in an HSE investigation following an incident in which an employee sustained serious electric shock and burns while working in a sports complex.
- Review of the management of fire safety for a university.



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RETAIL & LEISURE

"I would like to take this opportunity to thank you personally for your extremely professional support with our very delicate case. The outcome was never guaranteed, but through your due diligence and the information you gathered, you were able to prepare a very strong structured defence with great success."

Our Regulatory lawyers have significant experience in working with organisations in the Retail and Leisure sector. From this experience we understand the challenges organisations in this sector face, and know that delivering a memorable customer experience is the key driver for most companies - their product is the experience customers have. This experience can be impacted by many factors, including supply chain issues and high staff turnover. We recognise that you require legal advisers who not only have a deep understanding of this sector's issues but are able to respond quickly and effectively to any situations or crisis situations which may arise.

Protecting your brand and reputation is a significant factor in everything we do. Major incidents need careful handling from the outset to ensure that the appropriate message is delivered in a consistent way to the Regulator, the press, your colleagues and others such as suppliers. We can also support you in identifying the issues that may escalate and devise strategies to limit, and preferably eliminate, reputational risk.

Our specialist Retail and Leisure lawyers have experience in defending a variety of criminal investigations and prosecutions including those relating to forklift truck overloads; workplace transport fatalities; falls from height; asbestos exposure; swimming pool safety including drowning and pool chemical exposure; sports and other organised physical activity through to the sale of out-of-date products; pest control; foreign body contamination in the manufacturing process; Listeria, E.coli, Hepatitis A and Legionella outbreaks; food poisoning; allergen contamination; labelling and hygiene investigations.



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Case Examples:

- We defended a retail customer following a fatal accident involving the driver of an HGV who was delivering to a store. During the unloading process, a forklift truck was overloaded and overturned, crushing and killing the HGV driver. We advised the company in relation to the Police investigation into the offence of Corporate Manslaughter, at the Inquest and in preparation of a written PACE submission. We were successful in helping the Company to avoid a prosecution for Corporate Manslaughter. Ultimately the Company pleaded guilty to a health and safety offence but this was limited to the core issues.
- We advised a very large car dealership encompassing servicing and maintenance in respect of a criminal investigation by the HSE into Hand Arm Vibration issues following a report of an employee suffering from carpal tunnel syndrome. We prepared a response to an Improvement Notice and advice in relation to compliance throughout the wider group. The HSE decided to take no further action.
- Acting for a major Hotel in relation to an investigation by Trading Standards into the management of food allergen risks to guests. We advised the hotel in relation to strategy and provided representation at PACE interview. No further action was taken. A prosecution of high profile hotel would have had brought with it significant reputation and financial risks.
- We represented a banquet catering company in an investigation by the local authority following an allegation of food poisoning at a wedding with over 500 guests. We persuaded the local authority to issue a caution rather than prosecute the company.
- We represented an individual throughout a local authority investigation regarding a Hepatitis A. outbreak in North Lanarkshire. Investigation and advice provided to the client in respect to potential charges under The Food Hygiene (Scotland) Regulations 2006.



TRANSPORT & LOGISTICS

Our industry leading Transport & Logistics lawyers provide expert advice across the entire sector, understanding the unique challenges within it. We advise a wide range of clients including passenger vehicle, logistics and goods vehicle operators, manufacturers and insurers. Our customers within this sector include BT, Royal Mail Group, DHL, Yusen, and Maritime Transport. We understand their constant need to drive down costs and improve efficiencies whilst maintaining a high quality service.

Our dedicated team has unparalleled insight into the specific needs of our clients within this sector, working closely with our clients in designing fleet risk solutions. In a sector where technology plays a part in managing the modern fleet, we are at the forefront of advising in respect of new technologies, helping our clients to use these innovations in order to shape strategy, reduce risk, and indemnity spend.

Our collaborative approach, drawing from a pool of expertise across the firm, ensures that we build the right team for each client.

Our expertise includes:

- Traffic Commission Inquiries.
- Carriage of Goods Disputes.
- Property Damage Disputes.
- Health and Safety and Regulatory matters.
- Police Investigations into Fatal Incidents.
- Employment and Agency Worker Advice.
- Advice in respect of Cyber Security and Supply Chain Risks.
- Reduction of risks through driving policies and driver training.

Through our dedicated 24 hour emergency response, our teams are able to respond rapidly in the event of a crisis and provide proactive advice and support to clients when required.



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