



SURREY HEATH BOROUGH COUNCIL

Human Resources

CAR AND ROAD POLICY & PROCEDURE



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1 Introduction

This document sets out the Council's policy in relation to the use of motor vehicles by employees on Council business.

The aim of this policy is to ensure that:

- There are clear, consistently applied criteria for entitlement to a car allowance;
- For those staff that use their cars on a casual basis for Council business there are clear guidelines as to the employee's responsibilities and reimbursement of mileage to ensure that the Council complies with its responsibilities under Health and Safety legislation.
- There are clear guidelines on road safety for both essential car and casual users.

2 Scope

This policy covers all employees who may be required to drive a motor vehicle on Council business

3 Equality Assessment Policy

The Council's Equality Scheme demonstrates its commitment to equality internally and externally and ensures that all sections of the community are given an opportunity to contribute to the wellbeing of the community. An equality impact assessment has been carried out on this policy and procedure.



The Council ensures that consultation is representative of the community and that consideration is given on how to consult 'hard-to-reach' groups and will positively learn from responses.

4 Categories of Car User

4.1 There are two categories of Car User. These are as follows:

1) Essential User

This relates to members of staff who are deemed to be “essential users” based on the roles they perform. They are paid an allowance to reflect the fact that they are required to have access to a vehicle as part of their job.

2) Casual Users

These are members of staff who whilst not requiring a car as part of their job do undertake occasional car journeys on Council business

5 Essential User Car Allowance

5.1 Introduction

The Council recognises that for the better performance of their duties certain job roles require to have access to a car at certain times. In order to assist staff with the fixed running costs of a vehicle the Council pays a fixed monthly car allowance through salary. In addition reimbursement is made for qualifying business mileage.

Commented [JS1]: Currently this is paid at 45p per mile



5.2 Eligibility

The eligibility requirements for a car allowance are as follows:

- 1) The employee must have a job role that requires them to leave the building on a regular basis for the purpose of work. This includes meetings with residents, businesses and other organisations which have a direct effect on the individuals and businesses of the borough where the Council acts as the third party or on everyday business. It is expected that the employee will do approximately 3000 business miles a year.

NB: Where a Manager deems a role should attract a car allowance a business case should be put forward and signed off by the [Executive Head Strategic Director or Head of Service](#) in conjunction with Human Resources.

or

- ~~2) The employee is graded as an Executive Head and above.~~

5.3 Allowance conditions

In order for eligible staff to claim an allowance they must prove that:

- 1) They hold a full UK licence and are not disqualified from driving for health or other reasons;
- 2) That they have regular access to a vehicle for work purposes;
- 3) The car has a valid MOT certificate if applicable;



- 4) That it has been serviced and maintained in accordance with the manufacturer's recommendations. This also includes tyres and windscreens being legal;
- 5) That they hold valid insurance which specifically covers them for business travel;

If the employee is unable to or ceases to fulfil all of these conditions then the allowance will not be paid.

HR will require employees to submit a copy of their license, MOT and insurance certificate annually.

5.4 Rate of Allowance

The rate of allowance is £166.67 a month equivalent to £2,000 per year ~~for grades below Chief Executive.~~

It should be noted that the allowance is subject to tax and national insurance ~~but it does not attract pension contributions.~~

5.5 Mileage Rates

Staff using their own vehicle are able to claim reimbursement of costs for business mileage driven. Please note that mileage incurred travelling from home to work is NOT deemed to be business mileage and cannot be claimed for ~~therefore if a member has not travelled to or from the office as part of their usual commute the~~



day of the claim, they must deduct this mileage from the total mileage.– For example:

On a normal day the journey from home to the office is 5 miles but the staff member did not need to attend the office at all as they were out all day as part of their role. The total mileage they travelled that day to enable them to conduct their business was 20 miles. As they would normally travel 10 miles getting to and from the office (5 miles each way) they need to deduct that from their total mileage and therefore only claim 10 miles.

The current rates, payable are as follows and in line with HMRC guidance:

Date effective from	All Cars (Up to a maximum 10,000 miles)	All Motorcycles
<u>01/03/2019 Tax year 2011 / 2012 to date</u>	<u>45p</u>	<u>24p</u>
	<u>First 10,000 business miles in the tax year</u>	<u>Each business mile over 10,000 in the tax year</u>
<u>Cars and Vans</u>	<u>45p</u>	<u>24p</u>
<u>Motorcycles</u>	<u>24p</u>	<u>24p</u>
<u>Bicycles</u>	<u>20p</u>	<u>20p</u>



[A staff member can also claim 5p per passenger per business mile for carrying fellow employees in a car or van on journeys which are also work journeys for them. Only payments specifically for carrying passengers count and there is no relief if you receive less than 5p or nothing at all.](#)

Claims must be submitted on a regular basis [and \(preferably would urge you to submit at the end of each month\) for payment in the following months payroll. This provides clearer information](#) for audit purposes and to assist with Corporate budget monitoring.

Please note that if claims are not made within 3 months of the journey being made you are at risk of payment being refused.

Rates are reviewed periodically [and tracked to HMRC guidelines](#) to reflect the changing costs of running a vehicle. Currently, as the above mileage payments are in line with HM Revenue and Custom's Approved Mileage Allowance Payments (HMRC's AMAPs), they are not taxable. It is the employee's responsibility, however, to pay any income tax or National Insurance Contributions that may become due, for example if mileage rates exceed HMRC's AMAP at any time.

6 Casual Users

6.1 Introduction

Casual Users are those staff who do not qualify for an allowance and use their own vehicles for Council business on a less frequent basis.

6.2 Conditions



In order for eligible staff to claim a mileage reimbursement they must ensure that:

- 1) They obtain permission from their line manager;
- 2) They hold a full UK licence and are not disqualified from driving for health or other reasons;
- 3) The car has a valid MOT certificate if applicable;
- 4) The car has been serviced and maintained in accordance with the manufacturers recommendations and that tyres, windscreens etc. are legal;
- 5) They hold valid insurance which specifically covers them for business travel;

Only if all these conditions are met can an allowance be claimed. Claimants will be required to confirm they comply with each claim and may be required at any time to produce the relevant documentation for Human Resources.

6.3 Mileage Rates

Staff using their own vehicle are able to claim reimbursement of costs for business mileage driven. Please note that mileage incurred from home to work is NOT deemed to be business mileage and cannot be claimed for.

[Please see point 5.5 above for the current rates payable are as follows; and details.](#)



Date effective from	All Cars (Up to a maximum 10,000 miles)	All Motorcycles
01/03/2019	45p	24p

Claims must be submitted on a regular basis (preferably at the end of each month) for audit purposes and to assist with Corporate budget monitoring.

Please note that if claims are not made within 3 months of the journey being made you are at risk of payment being refused.

Rates are reviewed periodically to reflect the changing costs of running a vehicle.

These amounts may be subject to income tax and National Insurance Contributions, depending on HMRC regulations in place at the time.



7 Road Safety Procedures

Surrey Heath Borough Council will take all reasonable steps to reduce health and safety risks from work related road collisions and injuries by promoting a safe driving culture within the Council.

For the purpose of this policy the following definitions apply:

Driving at Work	Refers to any work carried out on Council business that involves the employee driving any vehicle and covers all journeys other than those to and from their normal place of work.
Council Vehicle	Any vehicle that is owned leased or hired by the Council.
Private Vehicle	Any vehicle used by a person driving on Council business which is not owned, leased or hired by the Council.

- 7.1 Responsibility for discharging the health and safety requirements with regards to this policy lies with the appropriate ~~Executive Head~~[Strategic Director](#)/Head of Service. Duties of implementation may be delegated to individuals in a manner that accurately reflects their existing levels of competence and responsibility. However, in certain circumstances, the advice and assistance of specialist advisers may be required.



7.2 It is the policy of Surrey Heath Borough Council to operate vehicles in a safe, efficient and effective manner and to minimise the risks to employees and others affected by our operations.

7.3 Staff are expected to adhere to the [Road Safety Procedures driving and riding safely for work guidance](#), failure to do so may result in disciplinary action.

7.4 Managers are responsible for ensuring that:

- There is a mechanism in place to ensure that staff are qualified to drive any Council vehicle;
- There is a system in place to ensure that any Council vehicle is maintained in a roadworthy condition and complies with legal requirements.
- Ensure that an assessment of the risks associated with the work equipment is conducted prior to its use.

NB. For journeys or driving activities that present additional risks a more detailed assessment should be completed and recorded. Examples of where this would be appropriate include:

Driving that is expected to take place in severe weather conditions; Journeys that involve lone working in remote or potentially dangerous areas;



The transporting of a large number of passengers for example in a minibus.

7.5 Staff are responsible for ensuring that they;

- Hold the appropriate driving licence entitlement;
- Are medically fit to drive;
- Do not use a hand-held mobile phone to make or receive calls whilst driving on Council business
- Do not operate satellite navigation systems while driving
- Comply with the legislation with regard to the wearing of seatbelts whilst driving and make every effort to enforce the wearing of seatbelts for adult passengers in their vehicles;
- Are satisfied that prior to any journey on Council business that the vehicle they are driving is fit for its purpose and roadworthy;
- Inform the person in charge of the (Council) vehicle if they become aware of any faults;
- Where appropriate, are adequately insured to use their private vehicle for Council business;
- Report any accidents or incidents whilst driving on Council business to the Health and Safety representative;
- Comply with any local service rules and risk assessment requirements for driving at work activities

8 Risk Assessments



Risk assessments for regular work-related driving should follow the same principles as those for any other work activity.

For journeys or driving activities that present additional risks a more detailed assessment should be completed and recorded. Examples of where this would be appropriate include:

- Driving that is expected to take place in severe weather conditions;
- Journeys that involve lone working in remote or potentially dangerous areas;
- The transporting of a large numbers of passengers for example in a minibus.

9 Medical conditions affecting the ability to drive

Drivers of Council vehicles must declare to their line manager immediately if they are suffering from any medical condition that would legally prevent them from driving on the public highway or if they have any reason to believe they have any other condition that might adversely affect their ability to drive safely. The line manager is responsible for taking action by relieving the person from driving duties as appropriate and contacting Human Resources.

10 Convictions or disqualification



Where employees are required to drive Council vehicles, or their own vehicle as an essential part of their duties, they must inform their line manager and Human Resources of any convictions (including penalty points) or periods of disqualification immediately. If managers are notified that an individual has been disqualified from driving due to a motoring offence they must relieve the person of all driving duties with immediate effect and seek advice from Human Resources on the most appropriate course of action.

For any other motoring offence such as points on a licence for speeding, it is the responsibility of the member of staff to update their driver's declaration form through their Human Resources.

11 Minibus drivers

A higher level of competence is required to drive a minibus, as:

- The vehicle is larger/heavier (requires greater stopping distances);
- More passengers are taken leading to increased stress on the driver e.g. extra responsibility, noise and distraction;

The [legal requirement](#) with regard to qualifications is that drivers who obtained their full driving licence before the 1 January 1997 may drive a minibus in the UK. Those who have obtained their licence on or after the 1 January 1997 are only



licensed to drive a vehicle with up to 8 seats. To drive a minibus, drivers need to gain a category D1 PCV entitlement on their licence.

All departments must comply fully with the above legal requirements with regard to driving licence entitlement. Departments are also required to ensure that;

Any member of staff who is required to drive a minibus as part of their job must undertake an appropriate assessment (i.e. MIDAS) regardless of when they attained their full driving licence. The assessment outlines the skills required to drive a minibus safely and candidates are assessed for competency. Re-assessment should take place at least every 4 years and more often if an incident or risk assessment merits it.

Members of staff with a full driving licence obtained before 1997 who occasionally drive a minibus for work-related purposes but not as a requirement of their job do not need to undertake additional training. However, those members of staff should undertake a specific risk assessment related to the activity.

12 Council vehicle checks

The driver has primary responsibility for the operation of any vehicle and must be satisfied that the vehicle is fit for its purpose and roadworthy. Compliance with this requirement can be sensibly achieved by departments taking responsibility for the majority of periodic maintenance checks of their vehicles. Department checks should include monitoring of fluid levels (oil, coolant and screen wash) and tyre pressures. It is recommended that these checks and associated maintenance are recorded on a weekly basis (the frequency of checks must be risk based depending



on the frequency and type of use). It would then be the driver's responsibility to ensure that the record of weekly checks was up to date and then to undertake their own driver basic safety checks and adjustments. This outlines the minimum requirements for safety checks; some vehicles may require additional checks such as inspection of lifts, safety signage, safety equipment such as reversing alarms, guards on dangerous parts and rotating beacons.

13 Service vehicle maintenance

Vehicle inspections and maintenance should only be conducted by a competent person. The manufacturers' recommended service intervals and warranties should be adhered to which will ensure so far as reasonably practicable the on-going safety of the vehicle. The maintenance schedule must also include the annual M_{OT} test.

A maintenance log must be kept up to date for each departmental vehicle containing all information relating to that vehicle. It is recommended that service records are kept for at least 3 years.

It is recommended that routine checks are made of Council minibuses at set intervals which are time-based rather than mileage-based, e.g. every 6 weeks. Any specialist equipment such as tail lifts should be inspected according to the legal requirements and any manufacturer's recommendations.

14 Accidents and incidents



Where employees who are driving on Council business are involved in road traffic accidents or incidents which result in damage to vehicles, loss or damage to property or persons they must be reported for insurance purposes and as an accident/near miss. This applies to accidents in Council vehicles as well as in an individual's private vehicle.

Law relating to this document

Health and Safety at Work etc Act 1974

Management of Health and Safety at Work Regulations 1999

The Health and Safety at Work etc Act 1974 requires employers to take appropriate steps to ensure the health & safety of their employees and others who may be affected by their activities when at work. "This includes the time when they are driving or riding at work, whether this is in a company or hired vehicle, or in the employee's own vehicle".

The Management of Health and Safety at Work Regulations 1999 requires "the risk assessment to be reviewed periodically to ensure it remains valid. Employers should consider the risks to employees on the road in the same way as for those in the workplace".

For clarity, health and safety law does not apply to drivers commuting to work.

