

Highland Council

Guidance on criteria for staff taking vans home

1 Background

- 1.1 The Council has a Policy on the Private Use of Council Vans (version 2 – August 2007):-
http://www.highland.gov.uk/peopleandperformance/download/downloads/id/411/travel_private_use_of_council_vans.pdf
- 1.2 The purpose of the policy is to ensure that the Council complies with tax rules, and ensures appropriate insurance cover.
- 1.3 The policy specifically relates to vans. For the purpose of this policy a van is a vehicle not exceeding 3,500 kg in weight.
- 1.4 The use of Council vans is restricted to authorised use for operational reasons, which are defined as:-
 - carrying out the duties associated with a post,
 - availability of the vehicle for standby duties, and
 - security of the vehicle.
- 1.5 This document is intended to clarify what operational requirements and criteria will be used within Community Services to ensure a clear and consistent approach to staff taking vans home. It does not amend or replace the existing policy on the Private Use of Council Vans referred to in paragraph 1.1 (above).

2 Existing Policy on the Private Use of Council Vans

- 2.1 The existing Policy on the Private Use of Council Vans (version 2 – August 2007) continues to apply. The key points are summarised below:
- 2.2 The use of Council vans is restricted to authorised use on Council business.
- 2.3 Operational reasons for taking a van home are limited to:-
 - carrying out the duties associated with a post,
 - availability of the vehicle for standby duties, and
 - security of the vehicle.
- 2.4 Within the Policy employees authorised to take a Council van home for operational reasons can make limited private use of the van. Examples of acceptable and insignificant private use allowed under this policy include:-
 - Regularly making a slight detour to a newsagents on the way to work; and
 - Calling at the dentist on the way home from work.
- 2.5 Examples of unacceptable personal use prohibited under this policy include:-
 - Using the van for any business other than official Council business;
 - Using the van to make a specific trip to the supermarket;
 - Using the van to make a specific trip to the rubbish tip;
 - Taking the van away on holiday; and

- Using the van outside of work for social activities
- 2.6 These examples are not exhaustive. Where an employee wishes to use a Council van for any other private purpose they should not do so without discussing the details of the journey with their line manager and receiving authorisation.
- 2.7 Whether the van is being used for official Council business or acceptable private use only the following authorised passengers should be carried:-
- Council employees on official Council business;
 - Council employees on the journey to the workplace or from the workplace to home;
 - Authorised non- employees (e.g. contractors), who are engaged on official Council business;
 - Passengers carried in the event of an emergency; and
 - Passengers being carried as part of a Council service
- 2.8 Private use of Council vans, other than for operational reasons and acceptable private use, is prohibited, as is the carrying of unauthorised passengers.
- 2.9 Failure to observe this policy would result in the employee being liable for tax on the journey. The driver would not be covered by the Council's insurers and would be liable to costs if an accident should occur.
- 2.10 It is important that accurate records are kept of authorisation given to allow employees to take Council vans home for operational reasons. Line managers are responsible for maintaining and annually reviewing records and making these available for audit purposes.
- 2.11 At the end of each tax year employees will be asked to sign a declaration confirming that no private use, other than that allowed within this policy, occurred in the previous tax year.

3 Clarification on the policy to reflect changes in working practices

- 3.1 In order to modernise working practice e.g. use of hand held devices in mobile service, or where there are operational reasons for people to take vehicles home to improve the long term efficiency of the Service it is considered appropriate at this time to provide clarification on acceptable working practices and establish clear criteria for the operational Interpretation of the Council's Policy on the Private Use of Council Vans across Services.
- 3.2 This document sets out principles for establishing working practices when taking vans home at night and/or using them to travel to work in the morning is considered an authorised personal use of a Council van in terms of the existing Policy.
- 3.3 The employee's depot/office is their "base" for employment purposes, although the use of new technology and agreed operational service delivery allows some staff to start work from their first job of the day and end work following completion of their last job of the day. In these circumstances the employees start time is the time they arrive at their first job of the day and their end time is the time they finish their last job of the day. Travel to and

from work and home will always be in the employees own time, just as it would be for anyone using their own vehicle to commute to and from work.

- 3.4 All employees are expected to be able to travel to and from their work in their own time. An employee's work place is defined as either their "base" for employment purposes or their work location.
- 3.5 Where staff are allocated work via handheld devices or as agreed operational requirement (i.e. public convenience/FM mobile teams) they will generally be able to take a van home where their first and last jobs of the day are closer to their home than their base.
- 3.6 Managers will consider giving permission to take vans home where staff generally have work scheduled within a reasonable distance of home. Examples of where there is an operational need to take a van home: -
 - Staff in Building Maintenance section of Community Services based at Diriebught, who live in Inverness and has work scheduled the next day in Inverness, and who is able to start work at their first scheduled job rather than their base.
 - Staff working as part of Mobile Public Convenience team where they live on mobile cleaning route
 - Staff member based in Golspie, who lives in Brora and has work scheduled the next day in Helmsdale, and who is able to start work at their first scheduled job rather than their base.
 - Staff who are on official standby duty and who may be required to use a vehicle to respond to out of hours emergencies.
- 3.7 Service Managers will have flexibility over the distances involved, subject to the need to evidence that any personal use of vans is required for operational purposes and such use is in the interests of business efficiency.
- 3.8 Line managers will be responsible for establishing whether there is an operational reason for taking a van home in relation to:-
 - carrying out the duties associated with a post,
 - availability of the vehicle for standby duties, and
 - security of the vehicle.
- 3.9 Line managers will consider work schedules and distances between the staff member's home and first scheduled job when considering whether there is an operational need to take a vehicle home.
- 3.10 Examples of where there is no operational need to take a van home:
 - Staff member based in Inverness who lives in Dingwall and has work scheduled for Inverness the next day.
 - Staff member is based at a depot / office, but duties do not involve scheduled work where they could start work "on site"
- 3.11 Where an employee who is authorised for personal use of a Council van is occasionally required to start or finish work at their base – for example to pick up materials from stores, or to attend a training event or "tool box talk"/team meeting they will normally be permitted to travel in the Council van, but should

do so in their own time, as would any other employee using their own vehicle to commute to work.

- 3.12 No vans will be taken home or kept at home during sickness absence or where an employee is on annual leave. It will be the employee's responsibility to return vans to their base in these circumstances. Where an employee notifies sickness absence and they are not fit to drive the van back to the depot their line manager will arrange for their van to be collected from their home and utilised as appropriate.
- 3.13 When staff have authorisation for personal use there may be situations when this authorisation could be subject to amendment, for example where there is a planned change in duties / activities on either a permanent or temporary basis that would mean the personal use of a van would no longer comply with the Council's Policy and would have tax implications for the Council.

4 Implementation, Monitoring and Review

- 4.1 Team briefings should be given to all staff affected by this guidance to explain its purpose and consult on how we will implement it.
- 4.2 A "frequently asked questions and answers" on this guidance will be instigated and added to on a regular basis as an appendix to this guidance. Managers will offer one to one advice for any member of staff affected to answer questions on interpretation or application, and these queries will also be added to FAQ. Details of issues arising will be discussed with staff and trade unions where necessary to address any problems constructively.
- 4.3 Service Managers will review the operation of the guidance locally in consultation with staff and Trade Unions (as appropriate) on a regular basis.
- 4.4 Services will be subject to monitoring, discussion and review at Service Trade Union Meetings.
- 4.5 Where employees are unhappy with a decision on a specific request they will be entitled to raise a grievance under the Council's policy.

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