



Title of Report:	Essential User Policy
Committee Report Submitted To:	Finance Committee
Date of Meeting:	14 March 2024
For Decision or For Information	For decision
To be discussed In Committee YES/NO	No

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them.
Lead Officer	Chief Finance Officer

Budgetary Considerations	
Cost of Proposal	
Included in Current Year Estimates	YES/NO
Capital/Revenue	Revenue
Code	
Staffing Costs	

Legal Considerations	
Input of Legal Services Required	YES/NO
Legal Opinion Obtained	YES/NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 PURPOSE OF REPORT

- 1.1 To seek approval of revised Essential Car User Policy.

2.0 BACKGROUND

- 2.1 Employees Causeway Coast and Glens Borough Council has to establish a framework of governance under which its services and functions can operate.
- 2.2 Causeway Coast and Glens Borough Council operates in accordance with the Green Book as agreed at National Joint Council level with Unions in terms of the basis of staff terms and conditions. Within those terms and conditions provision is made for staff who, in the course of their duties, make use of their private vehicle for business purposes and they are then recompensed accordingly using the agreed mileage and expense rates set by the National Joint Council. Part of those provisions allows the employer to award a status of “Essential User” to employees whose role requires regular and repeated use of a vehicle in their day to day role, again the Green Book sets out the additional benefits that can be received as a result of this. Causeway Coast and Glens Borough Council does not have an agreed Council wide policy for the award of Essential User status to employees, each of the 4 legacy Councils had differing rules and procedures for dealing with this. In addition none of the legacy arrangements had any review process to ascertain the appropriateness of the continued award of Essential User status.
- 2.3 The purpose of this policy is to provide a single, uniform and fair set of guidelines for the assessment of applications to be granted Essential User Status and also to provide a single equitable method of review to ensure the granting of Essential User status is correct for all employees within Council. The rules and processes are clearly set out within the policy and these have been presented to the Unions at local level and have been agreed with Unions. The policy will apply to all staff with the first review being carried out after 12 months operation.
- 2.4 This policy had been presented to Council previously in August 2019 but was not adopted at that point.
- 2.5 The policy has been discussed with Trade Unions with a view to reviewing the mileage thresholds that were previously agreed.
- 2.6 Trade Unions have indicates that they feel the thresholds are high enough citing that the amount of travel being undertaken since the COVID pandemic has reduced significantly with the advent of online meetings. There are statistics to support this position in section three below.
- 2.7 A copy of the policy is attached as an appendix to this report.

3.0 **Statistics**

3.1 The table below sets out the total mileage travelled by staff, the number of claimants and the number who exceeded 2000 miles total for the years ended 31 March 2019, 2023 and year to date for 2024.

3.2 The data does support the position that the amount of travel being incurred is still well below the levels prevailing when this policy was first presented, it is therefore reasonable to maintain the thresholds at the levels previously agreed with unions.

Year	Mileage	No. of Claimants	No. > 2000 miles
2019	705173	272	133
2023	332341	288	59
2024	234130	208	36

4.0 **RECOMMENDATION**

4.1 **It is recommended that** Council approve Essential User Policy as presented.



**Causeway
Coast & Glens
Borough Council**

ESSENTIAL / CASUAL CAR USERS POLICY

and

PROCEDURE for CLAIMING MILEAGE

Policy Number	
Version Number	2024 -1.0
Author	Chief Finance Officer
Date of Screening of Policy	
EQIA Recommended?	NO
Date Adopted by Council	
Date Policy Revised	

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Essential/Casual Car Users Policy and Procedure for Claiming Mileage

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1. Introduction

This policy seeks to ensure the fair administration of the Essential User's Car Allowance. This allowance is intended to offset the financial cost for those officers that are required to regularly use their own car for Council purposes. On current rates, this allowance entitles officers to an annual taxable award of £1,239 (currently) but changes any mileage claim from the casual rate to the lower essential user allowance rate (for claims up to 8,500 miles annually). Essential users are those whose duties are of such a nature that it is essential for them to have a motor car at their disposal whenever required. The Green Book Part 3 (Appendix A) refers to Car Allowances

1.1 Scope

The Policy is applicable to all employees (and agency workers) of the Council.

2. Policy Statement

The aim of this policy is to define the qualifying criteria for the Essential User's Car Allowance so that it can be allocated fairly and transparently, whilst maintaining affordability for Council.

Signed: _____ Date: _____
Mayor
Causeway Coast and Glens Council

Signed: _____ Date: _____
Chief Executive
Causeway Coast and Glens Council

3. Affordability

In pure accounting terms, officers would have to exceed 8,500 business claimed miles before there is any overall financial benefit to Council. However, it is acknowledged that regular business users incur additional personal costs such as increased car insurance premiums, servicing, tyre replacement and repair bills.

4. Essential Users

Council pays Essential Car User Allowance to certain Officers. The purpose of this allowance is to ensure that a vehicle is immediately and normally available to enable the post-holder to fulfil their duties. It is expected that Officers receiving the Essential Car User Allowance will have a vehicle available for use without notice on a daily basis i.e.: unplanned and reactive

Essential car users are Officers who are required to use their car on a regular basis and whose duties are of such a nature that it is essential for them to have a motor car at their disposal to enable them to fulfil the day-to-day responsibilities of their job. Regularity of use and levels of mileage will be considered in assessing Essential Users. Officers who are required to visit other locations on a periodic and ad hoc basis would not be automatically given essential car user status.

Essential car users are entitled to a fixed monthly allowance, depending on the engine capacity of their car, together with a reduced mileage allowance paid for miles travelled. The fixed monthly allowances are paid automatically to the essential user whether a mileage claim form is submitted or not except for instances as detailed in rules below.

The following criteria will be used in assessing applications for Essential User status

- Applicants must ensure that a vehicle is immediately and normally available to enable the post-holder to fulfil their duties, have a vehicle available for use without notice, undertake unplanned work related journeys that are an integral part of the post, and/or are reactive in nature
- And either
- have business mileage in excess of 3,000 miles in the previous year. New posts shall not be included until at least one year's mileage exceeding 3,000 miles. (Post Entry Training not included)
- or
- undertake regular (on average at least 3 journeys per week) work related journeys and have business mileage in excess of at least 2,000 miles. The average number of journeys will be calculated on the basis of 45 working weeks.

*Thresholds will be calculated pro-rata for part time employees.

Note:

Car user status will be ascertained as casual when a new post is created or a post is advertised.

In addition to the above part-time working, periods of sick leave, maternity leave or any other circumstance which may have impacted the employee's ability to meet the above criteria will be taken into consideration in this review.

The Essential Car User Application form attached in Appendix B should be completed by Director/Senior Manager and authorized by SMT before essential car user status is attached to a post. The Director/Senior Manager will consider all the factors listed above including unplanned and reactive journeys, regularity of use, mileage and and make a recommendation for Essential Car User to SMT under the above suggested qualifying criteria.

Essential Users are subject to a yearly review, which will be carried out by finance staff, and a reversion to Casual user may occur if the criteria fail to be met. This should be clearly communicated to the employee, by Payroll/HR when status is being put forward to SMT for review. All new applications for essential user status must be approved by SMT. A quarterly monitoring report will be circulated to SMT to ensure adherence to the Policy, consistency in approach and management of the scheme.

This policy applies to staff on NJC terms only.

5. Review

Once allocated the allowance is to be reviewed annually to ensure that the officer continues to meet the qualifying criteria.

Finance staff will carry out an analysis of all mileage claims and assess where the criteria as specified in section 4 have been met. For those staff where the criteria have been met the essential user status will continue for a further year. In cases where the criteria have not been met, the staff member will be advised, then a report will be issued to SMT who will make the final decision with regards to the continued application of essential user status on an individual basis. Individuals whose circumstances are being referred for review will be informed of this and given the opportunity to support their claim for the status to be continued ahead of any SMT decision-

Should SMT decide that essential user status no longer applies then the relevant Head of Service will be instructed to inform that member of staff in writing of the change in status. In the case of a Head of Service the relevant Director will inform the employee, in the case of a Director the Chief Executive.

Employees can appeal to the Chief Executive where they disagree with the decision of SMT.

Essential user status will be revoked in the month following the employee being informed and having accepted the decision or the month following an unsuccessful appeal.

6. Rules

- Applications will be completed and submitted to SMT for decision, following consideration and recommendation by the HoS
- Director/ reviews the application in line with the criteria within the policy and presents to SMT;
- SMT decide on application and relevant HoS informs applicant. If the application has not met the criteria this must be communicated along with the decision to the applicant.
- Chief Executive can arbitrate where employees dispute the allocation;
- Essential Users are subject to a yearly review and a reversion to Casual user if criteria fails to be met. This should be clearly communicated to the employee in advance of the status is being changed.
- It is the employee's responsibility to ensure that they are fully insured for whatever car they use (including alternative cars);
- Where a car is not in use as a result of either a mechanical defect or the absence of the employee through illness:
 - (i) The lump sum payments should be paid for the remainder of the month in which the car first went out of use, and for a further three months thereafter. For the following three months, payment should be made at the rate of 50% of the lump sum payment.
 - (ii) During the period when a car is off the road for repairs, reimbursement in respect of travel by other forms of transport should be made by the employing authority.
- The allowance is applied on the same basis to eligible part time employees.
- There is no automatic entitlement to Essential Car User Allowance where an employee is on unpaid absence or unpaid leave. (Unpaid absence to be for more than one month)
- Green book rules require full lump sum payments to be made to any employee on Ordinary Maternity Leave. The introduction of the Sex Discrimination Act 1975 (amendment) Regulations 2008 extends this to cover all Additional Maternity Leave (AML). Lump sum payments for Essential users will therefore continue to be made throughout the employee's maternity leave.

7. Other options

A number of other options are available or may be considered:

- A car loan facility is available to all essential users within local government – further details available from Payroll
- Allocated Council car / van.

8. Casual Users

Casual car users are those Officers for whom it is desirable that a car should be available when required. Casual car users are entitled to a mileage allowance paid for miles travelled whilst on Council business.

Officers who are required to use their own private cars on Council business as casual car users must seek prior authority to do so from their manager. Where such permission is given, expenses incurred whilst on Council business will be reimbursed by means of an authorised claim for mileage incurred.

9. Insurance and Licence details

Before Essential or Casual Officers submit their first claim for mileage, they must complete the annual drivers audit providing a copy of their driver's licence and certificate of insurance which **must** include business use cover to their line manager. Once this documentation has been reviewed by Finance to ensure that vehicle details are recorded, mileage claims can be processed.

The annual driver audit maintains a record of vehicle, including insurance details and Driver's License to ensure that Business Insurance for Officers claiming mileage is up-to-date.

If an Officer should change their car, a copy of the new Vehicle Registration Documents must be forwarded to Health and Safety or to Payroll with the mileage claim relating to the new vehicle. The mileage claim will not be processed if these documents are not produced.

The Council is not responsible for any damage caused to an Officer's car whilst parked in the Council premises or whilst out on Council Business.

10. Procedures for Claiming Mileage

10.1 The Form

The form to be used when submitting a mileage claim is set out in Appendix C (also available on Staff portal). Mileage should be rounded to the nearest whole number i.e. 2.6 miles should be recorded as 3 miles, 2.2 miles should be recorded as 2 miles, and 2.5 miles should be recorded as 3 miles.

As much detail, as possible about each journey should be provided on the claim form, including times of journeys and **exact** locations. If there is insufficient space on the form, the information should be attached to the form.

Officers should submit their claim to the Payroll Section promptly every month by 5th of the month following that in which the mileage was incurred. Claims submitted in line with this timetable will be processed for officers paid monthly as part of the officer's salary due for payment in the same month. For officers paid weekly it will be processed with the officer's next pay after the week of submission.

To ensure that Officers are paid promptly and that financial records are kept up-to-date, claims for mileage should be submitted to the Payroll Section within 3 months of the end of the month being claimed. No payments will be made for claims outside this 3 month period.

For trips outside Northern Ireland, the most economical and efficient mode of transport in terms of cost and mileage should be used.

CLAIMS MUST BE COMPLETED IN FULL AND AUTHORISED PRIOR TO SUBMISSION.

10.2 Claim Approval and Checking

The claimant and their Manager/Head of Service/Director must approve claim forms before they are submitted to Payroll. The Deputy Chief Executive/Director of Corporate Services will approve the Chief Executive's Claim form. Claim forms will be accepted by email, the act of sending the email being acceptance of claim conditions and/or approval of the claim.

It is the claimant's responsibility to ensure the accuracy and completeness of the claim.

It is the approving officer's responsibility to confirm that the journey details are accurate and appropriate before the claim is approved.

It is the Payroll Section's responsibility to check that vehicle details recorded are accurate, appropriate business insurance cover for the vehicle is in place, that the correct mileage allowance rate has been applied and that calculations are accurate before passing the claim for payment.

11. Mileage Entitlement

Mileage will only be reimbursed for necessary journeys and if actually incurred. Where possible, it is expected that Officers will travel together to minimise the cost to the Council.

In all circumstances, payment will be made for the '**lesser of**' mileage, i.e. the lower of:

- the mileage incurred for the journey actually travelled; and
- the mileage that would have been incurred if the journey had started and finished at the normal¹ workplace.

All claimants should be mindful of this principle when submitting claims.

12. Mileage Rates

Officers are paid the mileage rates determined by the National Joint Council on an annual basis. The rates payable are tiered to differentiate between essential and casual users and between the cylinder capacities of vehicles used.

It should be noted that there is a separate (and lower) rate of mileage that is applied in cases where costs are incurred in relation to travel to/from study courses. This excludes short-term study arrangements such as one-day courses. The Public Transport rate is used in relation to Further Education. Travel to Occupational Health Appointments will be paid at normal rate where applicable.

¹ For the purposes of paying mileage allowance, the normal place of work is taken to mean the "permanent work place" as defined by the Inland Revenue.

13. Business Miles

Business miles relate to journeys that an Officer undertakes from Officer's normal workplace to another location in order to carry out Council business. A business journey is one that begins and ends at the Officer's normal workplace. In these circumstances, the **total miles travelled** should be entered on the mileage claim form.

14. Home to Work Miles

Home is the Officer's normal home, which should correspond to the address held by the Human Resources Section. Work is the Officer's normal place of work and a record of this is held by the Human Resources Section.

Where an Officer breaks their normal home to work journey or vice versa to carry out Council business, Business miles commence at the location where work commences e.g. inspection en-route to work.

It is the responsibility of the authorising Officer to ensure that, before authorising claims, they are satisfied that the business purpose of the journey is absolutely necessary and is not incidental to the journey to or from home. The "lesser of" rule above applies.

15. Second Journey

If an Officer is required to return to his/her normal workplace, for example to attend a Council meeting or on an alarm call out, this is regarded as a second journey and the home to work mileage is payable. This does not include going home at lunchtime.

If an Officer chooses to stay in the normal workplace after the working day is over for Council business (rather than going home and then returning to work for the prearranged meeting) mileage is not payable. However, subsistence is payable up to the maximum rate for tea and only on production of a valid receipt.

16. Further Education

There is a separate (and lower) rate of mileage that is applied in cases where costs are incurred in relation to travel to/from study courses. This excludes short-term study arrangements such as one-day courses. Further details are included in the Further Education Policy.

The mileage rate payable is the Public Transport Rate and is the same rate as the National Joint Council rate for miles travelled in excess of 8,501 miles.

17. Car Parking

Where an Officer is entitled to claim mileage allowances, the costs of car parking, if any, will be reimbursed in full upon production of a valid receipt and details of why the car park charges incurred. Officers should endeavour to use the cheapest and most suitable car parking available.

Claims for car parking will be paid through the mileage system on production of a valid receipt.

To facilitate payment, the car parking receipt should be attached to the mileage claim form and details of the amount claimed should be entered in the appropriate column.

18. Appendices:

- A. Green book guidance.
- B. Application for Essential Car User
- C. Mileage Claim Form – electronically available only

Appendix A

GREEN BOOK PART 3 – OTHER NATIONAL PROVISIONS

6. Car Allowances

6.1 Employees required to use their motor vehicles for the efficient performance of their duties will receive allowances for the use of their motor vehicles on business only after being so authorised by the local authority. The local authority may determine whether the use is casual or essential and the cubic capacity of car considered appropriate.

6.2 Essential users are those whose duties are of such a nature that it is essential for them to have a motor car at their disposal whenever required. If the employee uses a private car in carrying out those official duties then they shall be entitled to receive the lump sum allowance and mileage rates set out below.

6.3 Where a car is not in use as a result of either a mechanical defect or the absence of the employee through illness;

(i) The lump sum payments should be paid for the remainder of the month in which the car first went out of use, and for a further three months thereafter. For the following three months, payment should be made at the rate of 50% of the lump sum payment.

(ii) During the period when a car is off the road for repairs, reimbursement in respect of travel by other forms of transport should be made by the employing authority.

6.4 Casual users are those for whom it is desirable that a car should be available when required. The mileage rates are set out below.

6.5 Local authorities should not make it a condition of employment that employees graded below point 13 should provide motor cars for official use.

6.6 An authorised car user may apply to the authority for financial assistance to purchase a car.

6.7 The allowances are contained on the card inside the back cover and will be reviewed by the NJC each year to take effect from 1 April or during the year as necessary.

Notes:

(a) Where a local authority authorises the use of a car in excess of 1450 cc it should fix an allowance not lower than that prescribed for the category 1200 to 1450 cc.

(b) The lowest category of allowance (451 to 999 cc) shall be payable only to employees actually using a vehicle with an engine falling into the 451 to 999 cc category.

(c) The scale of allowance to be paid to authorized employees of a local authority for the casual use of private motor cars whilst engaged on official duties operates so that a casual user does not at any mileage figure receive more than would have been received under the essential user allowance.

Appendix B

APPLICATION FOR ESSENTIAL CAR USER

Name _____

Job
Title _____

Location _____

Indication of meeting criteria for essential user status

The following criteria will be used in assessing applications for Essential User status

Applicants must ensure that a vehicle is immediately and normally available to enable the post-holder to fulfil their duties, have a vehicle available for use without notice, to undertake unplanned work related journeys that are an integral part of the post, and/or are reactive in nature A

And either

have business mileage in excess of 3,000 miles in the previous year. New posts shall not be included until at least one year's mileage exceeding 3,000 miles. (Post Entry Training not included) B

or

undertake regular (at least 3 times per week) work related journeys and have business mileage in excess of at least 2,000 miles C

(Applicants must be able to tick Box A and either Box B or Box C)

Director/Senior Manager
Manager _____

Name _____ Date _____

Approved by SMT _____

Date _____

Finance – Payroll

Name _____

Date _____ Review
Date _____

Insurance Documents Received Y/N

MILEAGE CLAIM MUST NOT BE PROCESSED UNTIL ALL VALID PAPERWORK IS SUBMITTED

Appendix C: New Electronic claim form

Causeway Coast and Glens Borough Council

Travel & Subsistence Form

Employee Name :-
 Employee Reference :-
 Date of Claim :-
 Registration of Car :-
 CC of Vehicle :-

URGENT
 PLEASE INSERT
 CORRECT EXPENSE
 CODE

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 9	Column 10	Column 11						
Journey and / or Expenditure Details		Departure Post Code	Destination Post Code	Date Expense Incurred	Departure hh:mm	Return hh:mm	Expenditure Reference No	Mileage	Number of Passengers if any	Expenses	Expenditure Description	Employee Reference No	Date of Claim	Financial Year	Month of Claim