



Medway Council

Car User Status

Issued: November 2018

Reviewed Date: ~~November 2020~~ June 2026

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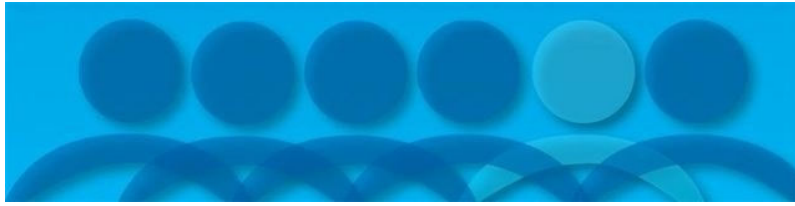


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1.0 - Introduction

1.1 - There are three types of car user status, these are Casual, Essential and Dedicated. The definition and process for applying and claiming for each is below:

2.0 - Casual Users

2.1 - These are users based largely at a single employment location. There is little or no genuine operational need to travel in the course of their duties other than to one of the other main employing ~~centers~~centres.

2.2 - The current ~~NJC~~ mileage rates for casual users apply.

2.3 - Claims should be made on [SelfServe4You-link to intranet page](#) and VAT fuel receipts and/or expenses where appropriate should be forwarded to the Travel & Expenses team.

3.0 - Essential Users

3.1 - The process for granting Essential Car User Status is based on a mileage criteria of 1,000 miles or more in a calendar year together with a requirement to undertake daily or near daily travel.

4.0 — Dedicated Users

4.1 Dedicated user status is applicable for roles where the post holder is often not able to plan their work in advance and where the role requires a significant number of journeys. There is no minimum mileage requirement. Further details of the factors required is in section 13.

5.0 Line managers' responsibilities

5.1 - Essential car user status ~~may~~will be granted ~~upon receipt of proof of mileage and agreement from by~~ the relevant service line manager/budget manager who can verify that the frequency and trends of journeys undertaken are, or will be, at or above the policy requirement of 1000 miles per annumappropriate.

54.2 - Line managers are required to ensure that employees do not undertake unnecessary journeys for the purpose of increasing mileage and meeting the criteria of daily or near daily travel.

5.3 -Line managers must check and verify all mileage claims for accuracy and ensure claims are submitted in a timely manner within 3 months of the journey(s) with details of each journey travelled submitted as evidence. Only in exceptional circumstances, such as long term absence, may an extended period be agreed.

65.0 - New starters

65.1 - An employee who is appointed to a post where the previous occupant was an essential car user will automatically be granted essential car user status. The employee's contract will include the flexibility clause (section 10).

6.2 – When appointing to a new post, service managers/budget managers must specify the car user status. Where the car user status is not specified, new posts will automatically default to casual user status if the post holder is required to travel for work purposes.

76.0 - Annual Review

76.1 - An annual review of mileage undertaken from January to December of the previous year will be undertaken by HR Services. A report will be produced in February each year.

76.2 - Where an employee's annual mileage is 1,000 miles or above the essential car user status will remain.

76.3 - Where an employees estimated annual mileage is less than 1,000 the employee will be notified and will revert to casual user status from the following April. Should an employee who has been changed to casual user at a later date wish to be considered for essential car user they should follow the process for new submissions (section 11).

~~If the employee has been on long term sick leave or maternity, paternity or adoption leave they should advise HR Services who will take this into account and recalculate the annual mileage. Should an employee who has been changed to casual user at a later date wish to be considered for essential car user they should follow the process for new submissions.~~

87.0 - Part-time employees

87.1 - The mileage requirement for part-time staff will be pro rata to the number of hours that they work.

98.0 - Mileage Criteria

98.1 - There will be no flexibility in the 1,000 mile criteria unless there are specific or exceptional circumstances preventing an employee from accruing the mileage for example long term sickness, maternity, paternity or adoption leave or a temporary change to duties but normal duties will resume. Onus lies with the line manager to confirm to advise HR services that these circumstances apply.

109.0 - Flexibility clause

109.1 - A flexibility clause (10.3 below) has been included within all new employee contracts since 1 October 2010. For those in employment prior to that date the clause will be included within employees' contracts where the essential user allowance has already been awarded.

109.2 - The flexibility clause enables Medway Council to change the employees' car user status from essential user to casual user should they not meet the criteria. Once an employee reverts to casual user they will need to follow the process for new submissions as detailed below to go back onto essential user.

109.3 - Eligibility to an essential car user allowance will be reviewed annually on the basis of the mileage claims made in the previous year (1 January to 31 December) and will be based on a minimum of 1,000 business miles per year and daily or near daily travel. If these criteria are not met then from 1 April the following year the car user you will revert to casual user status.

110.0 – Essential Car User Allowance - when car is not in use

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

- 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 and 0% thereafter.
- 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 council.

124.0 - Process for new essential car user submissions

124.1 - Submissions for changing from casual user to essential car user status ~~may~~ should be made on the [Essential Car User submission form](#) at any point in the year providing a minimum of 6 consecutive months evidence is provided, showing that an average of more than 83.3 work miles per month has been travelled by the end of January. The form should be sent to HR Services via Service Desk, 3rd floor, Gun Wharf.

~~11.2 - Submissions for those appointed to a new post without car user status should be made on the Essential Car User submission form by the end of January. The form should be sent to HR Services, 3rd floor, Gun Wharf.~~

124.3 - The submission will be considered by the Head of HR, or their representative and the decision will be final. There will be no backdating.

124.4 - Note: In circumstances where a reorganisation has taken place and a new post has been created, ~~where only the job title or minimal duties have been changed~~ consideration will be given by the Service Manager, together with the HR Manager as to which whether any essential car user status applies for the post holder should remain.

124.5 - Submissions for essential car user status will normally be processed within two months ~~should be made by the end of January to enable any change to take place from the following 1 April.~~ If the employee does not already have a flexibility clause within their contract of employment, a ~~revised~~ contract variation notice will ~~then~~ be issued to include a flexibility clause enabling the employee to move from casual user to essential user.

124.6 - The current ~~NJC~~ mileage rates for essential users apply.

124.7 - Mileage claims should be made via MyView or in exceptional circumstances on [Travel and Subsistence Claim Form PMC013](#) and submitted

to the Payroll Operations Team by the sixth of the following month and no later than 3 months from the month of travel.

132.0 - Dedicated car users

~~132.1 - These are employees who are not able to plan their work in advance and where the post requires a significant number of journeys.~~ For Dedicated Car Users ~~these people~~, the use of any alternative mode of transport other than a dedicated vehicle would be impractical and perhaps even seriously detrimental to the post-holder's effectiveness and the directorate's service delivery. In such cases, work is likely to involve two or more of the following factors:

- Daily duties that are not known until the post-holder arrives for work;
- Duties that are wholly not site based;
- Daily or near-daily duties that require the post-holder to travel outside Medway at short notice;
- A daily, near-daily or cyclical need to work outside normal working hours, including being on call in case of emergencies;
- Daily or near-daily duties that require the post-holder to travel to locations within Medway that are not well-served by public transport at short notice;
- A regular (weekly) need to transport clients and their families to and from their homes at short notice.

13.2 - Post-holders ~~may be entitled to~~ access ~~to~~ the Limited Leased Car Scheme. There will be an annual contribution based on the vehicle leased which will be deducted direct from pay. Mileage will be paid at the ~~current NJC petrol-only rates~~ specified in the Car and Travel Allowances policy.

13.3 - Claims should be made via MyView or in exceptional circumstances on Travel and Subsistence Claim Form PMC013 and submitted to the Payroll Operations Team by the sixth of the following month.

13.4 - Dedicated users ~~who do~~ ~~may choose~~ not ~~to~~ opt for the Limited Leased Car Scheme ~~will be paid at but to accept NJC~~ essential user car and mileage rates. ~~lump sum and mileage rates as appropriate and claim on Travel and Subsistence Claim Form PMC013. Claims must be submitted to the Payroll Operations Team no later than the sixth of the following month.~~

13.5 - Dedicated Car User Submission form must be authorised by the relevant Service Manager/Budget Holder.

143.0 - Employees who receive a special allowance

143.1 - These staff are paid the at the rates specified in the Car and Travel Allowances policy~~NJC petrol mileage rates, i.e., the same as dedicated users.~~

154.0 - Documents

- NJC Car and travel allowances policy
- ~~Travel and Subsistence Claim Form PMC013~~