



## Essential Car User (Policy & Procedure)

**NOT PROTECTIVELY MARKED**

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# Policy

## Statement

The Essential Car User Policy and Procedure details the Merseyside Police Force criteria for eligibility of an essential car user allowance to Police Officers and Police Staff and will be subject to regular review.

## Aims

Merseyside Police aims to provide a consistent and effective approach to business travel and related expenditure and the re-imbusement of allowances for police officers and police staff in the performance of their duties.

## Objectives

To detail the criteria and procedures to be followed in relation to travel and expenses for police officers and police staff designated as essential car users.

To explain Merseyside Police policy and procedure for the submission of claims for re-imbusement of travel expenses for business journeys carried out in the performance of duty by police officers and police staff eligible to claim an essential car user allowance.

To provide a mechanism of regular review by Area Commanders and Departmental Heads to ensure that each individual essential car user allowance remains justifiable and appropriate.

## Application and Scope

This policy applies to Merseyside police officers and police staff.

This policy does not extend to cover police officers and police staff members on secondment to organisations outside of Merseyside Police.

Separate arrangements apply to the claim of expenses and allowances for Special Constables and also for police officers / police staff attending residential and non-residential training.

As they are subject to separate conditions of service, separate arrangements will continue to apply to Chief Officers.

## **Outcome Evaluation**

Individuals will be personally responsible for the veracity and accuracy of claims submitted under this policy.

The Assistant Chief Constable Personnel, together with the Head of HR will have responsibility for monitoring the operation of this policy with the assistance of the Director of Resources as necessary.

Area Commanders / Heads of Departments will monitor and authorise all payments under this policy, and be responsible for local management and annual audit.

Assurance will be gained through the annual performance review process, audit and self-inspection checks carried out by line managers.

The Assistant Chief Constable Personnel will report the results of annual reviews to the Chief Officer Group.

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# Procedure

## Version History

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| 23/07/2013 | V 1.1 – Minor amendments made to reflect organisational change & terminology. Main principles unchanged. |
| 28/02/2014 | V1.2 – Minor amendments made to reflect changes to organisation.   |
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## 1. Principles and Eligibility Criteria

1.1 Eligibility for an essential car user allowance is not automatic for a specific post. It must be applied for on an individual basis and authorised by a BCU Commander or Head of Department. Employees who are not eligible for an essential car user allowance can apply for casual car user allowance in accordance with the [Guide for the Reimbursement of Travel and Other Expenses](#). Any vehicle use for casual user must be authorised by a BCU Commander or Head of Department in exactly the same way that essential user is authorised.

1.2 To be considered eligible for an essential car user allowance, police officers and police staff must be able to demonstrate that they are able to qualify under the following criterion:

- The number of miles covered in each financial year for undertaking the core responsibilities of the role must exceed 2,500 miles.

If the mileage criteria cannot be met BCU Commanders/Departmental Heads can consider the following criteria:

- Where there is frequent and urgent need for a vehicle in the course of duty commitments.
- Where the immediate attendance of the post holder is critical
- Where there is no alternative means of transport available.

1.3 Potentially, there may be individual posts, which cannot meet the above criteria. It is emphasised that these must be for exceptional cases. To cover this situation, application may be made for approval to ACC Personnel for:

- Individuals' occupying a role of a specialist or sensitive nature determined by Chief Officers to warrant the award of essential car user status.

The decision of ACC Personnel will be final in such cases.

1.4 To ensure the consistent application of the policy across the Force, an annual central quality assurance panel will be convened to consider all claims for essential user allowance and confirm that they meet the Force guidelines. The panel will include membership by Federation, Superintendent's Association, trade unions and staff associations.

1.5 Data on the operation of the scheme will be retained by HR Operations, for purposes of reporting to Chief Officers.

## 2. Transitional Arrangements

2.1 For those individuals where it is determined, following the introduction of this policy, that they will lose their right to essential user status, the following arrangements will apply:

### 2.1 Police Officers

2.1.1 Protection for police officers who have previously entered into vehicle loan or lease arrangement over a fixed term period due to their essential car user status will be considered on an individual basis through appeal.

2.1.2 Officers who will no longer be eligible for an essential car user allowance will be given 3 months transitional notice of change in writing.

2.1.3 Similar arrangements will be put into place for those officers who may continue to receive an allowance following the initial review, but who are no longer eligible following the new policy coming into Force.

### 2.2 Police Staff

2.2.1 Protection for police staff who have previously entered into a vehicle loan or lease arrangement over a fixed term period due to their essential car user status will be considered on an individual basis through appeal.

2.2.2 Police Staff will be given the requisite notice in writing of the variation to their terms and conditions of their employment on an individual basis in accordance with the provisions of the Police Staff Council Handbook.

2.2.3 Similar arrangements will be put into place for police staff who may continue to receive an allowance following the initial review, but who are no longer eligible following the new policy coming into Force.

## 3. Administration

3.1 Police Officers and Police Staff who are in a post that is eligible for an essential car user allowance must submit a memo to their Line Manager at the beginning of each financial year (April). The memo should include evidence that he/she continues to fulfil the relevant criteria. All applications require the approval of the BCU Commander or Head of Department and should be retained for audit purposes.

3.2 In circumstances when the BCU Commander / Departmental Head makes a decision not to approve a post holder's essential car user allowance they will inform the officer / staff member and provide a letter confirming the requisite notice to cease the allowance. (See appendix 1, for template letters)

3.3 Officers and staff will have an opportunity to appeal against the decision to the ACC Personnel.

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- 3.4 For any employee occupying a role of a specialist or sensitive nature who does not fulfil the mileage criteria, an annual business case must be submitted for consideration by an appropriate Chief Officer for approval of an essential car user allowance in April of each year.
- 3.5 Areas and Departments must ensure that they record and retain all information in relation to the essential car user allowance process for audit and inspection purposes.

3.6 **Essential User Lump Sum**

- 3.6.1 An annual lump sum is payable to essential car users and this is paid in 12 equal monthly instalments over the year. A proportion of the annual lump sum will be paid where an essential car user allowance is approved for a period of less than 12 months.
- 3.6.2 The individual post-holder claims the essential car user lump sum by completing the standard claim form (FIN 1 for police officers and FIN 3 for police staff).
- 3.6.3 Claims must be submitted on a monthly basis and those exceeding a period of 3 months will require approval of the BCU Commander or Departmental Head before they are paid. The approving Manager will take the opportunity when reviewing the reasons for the extended claim to consider the necessity for continued essential car user status.
- 3.6.4 Claims for mileage will be at the rate appropriate to the engine capacity (cc) of the vehicle in use, and subject to any Force policy in respect of the capacity of the vehicle required to undertake the operational tasks that the member of staff is required to perform.
- 3.6.5 The essential car user lump sum may be reduced or withdrawn under the following circumstances:

Sickness Leave - The Local Area/Departmental Administration Unit will withdraw the lump sum automatically after 3 months from the date of the start of the sickness absence.

Suspension – Police Officers - Officers who are in receipt of essential car user allowance and are suspended from duty will be advised by the Professional Standards Department (PSD) whether their allowance will cease.

Maternity / Adoption leave - The essential car user lump sum element will continue to be paid in full during the paid element of maternity/adoption leave period for eligible police officers and police staff.

Motor vehicle off the road - If a motor vehicle is off the road because of a mechanical defect or has been stolen or damaged; the lump sum payment will cease after a continuous period of 4 weeks. However, given the vehicle is deemed essential to the role it is not expected that police officers and police staff would be without a vehicle for an extended period. During the period when a vehicle is off the road for repairs, expenses in respect of travel by other forms of transport can be claimed. Advice should be sought from the Local BCU / Departmental Administration Unit.

## 4. Monitoring and Evaluation

- 4.1 Individuals will be personally responsible for the veracity and accuracy of claims submitted under this policy.
- 4.2 ACC Personnel will monitor the Policy and Procedure with the assistance of Director of Resources as necessary.
- 4.3 BCU Commanders / Heads of Departments will monitor and authorise all payments under this policy, and be responsible for local management and audit.
- 4.4 BCU Commanders / Heads of Departments and line managers will be responsible for making appropriate arrangements to ensure that roles eligible for an essential car user allowance are annually reviewed, to ensure that the essential car user status remains appropriate in accordance with the criteria.
- 4.5 Chief Officers will be responsible for the regular review of their portfolio, at least annually, for those individuals occupying specialist or sensitive roles previously designated as essential car users.
- 4.6 ACC Personnel will place a report before the Chief Officer Group on an annual basis, identifying all eligible posts for an essential car user allowance for approval. The report will also include an audit on the operation of the scheme.

## **APPENDIX 1**

### **TEMPLATE - REQUISITE NOTICE LETTER TO CEASE ESSENTIAL CAR USER ALLOWANCE**

#### **POLICE OFFICERS**

In accordance with the Force Essential Car User Policy I am required to annually review all posts that are eligible for an essential car user allowance. Based upon the information provided I do not believe your post continues to fulfill the approved criteria. Therefore I write to provide you with a 3 months transition notice period that your essential car user allowance will cease with effect from..... You will be able to claim at the (higher) casual user rate for all authorised journeys.

You have a right to appeal against this decision within 7 days of receipt of this letter.

Should you wish to appeal against this decision please complete a memo to Assistant Chief Constable Personnel detailing the grounds of your appeal.

You will receive written notification of the outcome of your appeal in due course.

Yours sincerely

Area Commander / Departmental Head

#### **POLICE STAFF**

In accordance with the Force Essential Car User Policy I am required to annually review all posts that are eligible for an essential car user allowance. Based upon the information provided I do not believe your post continues to fulfill the approved criteria. Therefore I write to provide you with a 3 months transition notice period that your essential car user allowance will cease with effect from.....

All other terms and conditions of your employment will remain unchanged and you will be able to claim at the (higher) casual user rate for all authorised journeys. This decision will not affect any payment at essential user mileage rate in respect of excess travel costs in accordance with the Redeployment Policy.

You have a right to appeal against this decision within 7 days of receipt of this letter.

Should you wish to appeal against this decision please complete a memo to Assistant Chief Constable Personnel, detailing the grounds of your appeal.

You will receive written notification of the outcome of your appeal in due course.

Yours sincerely

BCU Commander / Head of Department

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