



Cabinet 11 February 2014

Recommendations from the West Suffolk Joint Staff Consultative Panel: 16 January 2014 (Feb14/25)

1. Summary and reasons for recommendations

1.1 On 16 January 2014 the West Suffolk Joint Staff Consultative Panel considered the following substantive items:

- (1) New Joint (West Suffolk) Human Resources Policies: Travel; Maternity Leave and Pay; Organisational Change and Redundancy; and
- (2) Shared Services – Shaping the Organisation.

2. Recommendations

2.1 It is **RECOMMENDED** that:

(a) Joint Travel Policy and Procedure

The Joint Travel Policy and Procedure, contained in Appendix 1 to Report E277, be adopted.

(b) Joint Maternity and Paternity Leave and Pay Policy and Procedure

The Joint Maternity and Paternity Leave Policy and Procedure, contained in Appendix B to Report JSP14/006, be adopted.

(c) Joint Organisational Change and Redundancy Policy and Procedure

The Joint Organisational Change and Redundancy Policy and Procedure, contained in Appendix C to Report JSP14/006, be adopted subject to the following amendments:

11. Entitlement to redundancy payments

Pages 8 and 9 – paragraphs 11.1 and 11.3: the word 'your' be deleted from these paragraphs, so that it is amended to read:

11.1 *The calculation of redundancy payment is based on age, length of continuous local government service, and actual pay.*

11.3 *Entitlement can be calculated at INSERT LINK on the Councils' intranet.*

Contact details

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3. Corporate priorities

3.1 The recommendations meet the following, as contained within the Corporate Plan:

(a) Corporate priority 3: '*Working together for an efficient Council*'.

4. Key issues

General

4.1 St Edmundsbury Borough and Forest Heath District Councils have a Joint Leadership Team, a single pay and reward strategy, and are bringing together a shared workforce. Human Resources' policies and procedures underpin the terms and conditions of employment, and are tools for both managers and employees to utilise to deal with matters when they arise.

4.2 It is important for everyone to have absolute clarity, fairness and consistency in regard to dealing with the situations covered by these policies. The adoption of these joint and up-to-date policies will be supported by information sharing and training for managers, as appropriate.

Joint Travel Policy and Procedure (Appendix 1 to Report E277)

4.3 Report JSP13/006 contained the above new Joint Policy as Appendix A. Tabled at the meeting was an amended version of Appendix A, which further clarified the position with regard to Essential User Car Allowance (paragraph 2.3).

4.4 This Policy:

(a) clarifies the arrangements for the payment of excess and business mileage;

- (b) reduces the four-year Disturbance Allowance to two years; removes the time allowance (based previously on national 'green book' and 'purple book');
- (c) proposes locally agreed subsistence and removes some aspects (some green book allowances completely removed, for example drinks, afternoon tea, set rates that are increased through national agreement, hotel allowances); and
- (d) confirms the dual base, the 'shorter journey from home' principle and retained base for existing employees as at 2013 contract.

4.5 During the discussion of the Policy by the Panel, it was considered appropriate to re-word paragraph 5 of Section 2.5, as it was felt that if employees are **requested** to work additional days then they should be paid excess mileage.

2.5 Mileage incurred as a result of an employee's workbase being changed

Page 5 – paragraph 5, be amended to add:

'Where employees are requested by their line manager to work additional days, excess mileage will be paid.'

4.6 As a revised version was tabled at the Panel meeting and the Panel has since proposed the above amendment, the Policy is attached as Appendix 1 to this report with the amendments incorporated for clarity.

Joint Maternity and Paternity Leave and Pay Policy and Procedure (Report JSP14/006: Appendix B)

4.7 Report JSP13/006 contained the above new Joint Policy as Appendix B.

4.8 This Policy:

- (a) has been updated in accordance with statutory changes;
- (b) removes Maternity Support Leave (previously 'green book');
- (c) reduces payment calculation for KIT days (keeping in touch); and
- (d) clarifies arrangements for bank holidays and childcare vouchers.

4.9 The Panel supported the adoption of this Policy, as presented.

Joint Organisational Change and Redundancy Policy and Procedure (Report JSP14/006: Appendix C)

4.10 Report JSP13/006 contained the above new Joint Policy as Appendix C.

4.11 This Policy:

- (a) is based on learning from the 2013 restructuring process;
- (b) removes much detail to enable a less rigid approach (detail now in a frequently asked questions format to give further guidance);
- (c) is updated with regard to pensions and statutory changes to consultation requirements; and

- (d) is seeking new collective agreement on the current redundancy multiplier consistent with all other Suffolk Councils (whilst enabling a fair compensation and exit package that reduces risk of challenge to the Councils).

4.12 The Panel proposes the following amendments to this Policy:

11. Entitlement to redundancy payments

Pages 8 and 9 – paragraphs 11.1 and 11.3: the word 'your' be deleted from these paragraphs, so that it is amended to read:

11.1 The calculation of redundancy payment is based on age, length of continuous local government service, and actual pay.

11.3 Entitlement can be calculated at INSERT LINK on the Councils' intranet.

5. Other options considered

5.1 See Report JSP14/006 to WSJSCP.

6. Community impact

6.1 See Report JSP14/006 to WSJSCP.

7. Consultation

7.1 See Report JSP14/006 to WSJSCP.

8. Financial and resource implications (*including asset management implications*)

8.1 See Report JSP14/006 to WSJSCP.

9. Risk/opportunity assessment (*potential hazards or opportunities affecting corporate, service or project objectives*)

9.1 See Report JSP14/006 to WSJSCP.

10. Legal and policy implications

10.1 See Report JSP14/006 to WSJSCP.

11. Wards affected

11.1 All Wards.

12. Background papers

12.1 Report JSP13/006 to WSJSCP:

Appendix A (Amended): Joint Travel Policy and Procedure

Appendix B: Joint Maternity and Paternity Leave and Pay Policy and Procedure

Appendix C: Joint Organisational Change and Redundancy Policy and Procedure

13. Documents attached

13.1 Appendix 1: Updated Joint Travel Policy and Procedure

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Forest Heath District Council and
St Edmundsbury Borough Council

Travel Policy & Procedure

2014

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1. Introduction

- 1.1 This Policy sets out the information and advice to support staff at St Edmundsbury Borough Council (SEBC) and Forest Health District Council (FHDC) regarding travel and subsistence.
- 1.2 The Policy has been developed in the light of the following principles:
- this policy and procedure applies to all employees
 - no employee will be discriminated against (directly or indirectly) on the grounds of gender, ethnic origin, marital status, disability, sexual orientation, faith, age, trade union activities or any other irrelevant factor.
 - the need to adopt a cost effective, business and reasonable approach to claims.
 - the scheme must be fair and consistent across both organisations and applied rigorously.
 - the importance of ensuring that claimants are fully and speedily reimbursed for expenses actually and necessarily incurred.
 - the need for expenditure to be authorised in advance as far as possible.
- 1.3 The Policy will be reviewed annually and may be revised in the light of experience and/or new circumstances.

2. TRAVEL ALLOWANCES

2.1 There are two types of travel:-

- i) Mileage incurred for reasons of business**
- ii) Mileage incurred as a result of an employee's work base being changed by the employer**

2.2 Mileage incurred for reasons of business

This is mileage incurred whilst at work or for work and in order for an employee to carry out his or her work effectively (use of pool car where cost effectiveness must be considered at all times). This includes mileage incurred due to requirements of the daily tasks of the role, travel between bases (except for dual based contracts) attending meetings, training courses and visiting SEBC/FHDC premises across the West Suffolk area. This can include both essential user and casual users.

2.3 Essential User Car Allowance

The essential car user allowance is a lump sum, paid monthly to contribute towards the provision of a car, its maintenance, tax and insurance, paid

only for staff who need a car in order for them to do their jobs. Where employees are reliant on access to a vehicle in order that they are able to carry out their normal duties, an essential user allowance may be payable if a number of criteria are met. This includes frequent and regular travel where it is not reasonably practical to use a pool car and where annual business mileage exceeds 2500. Employees in receipt of the allowance will be required to provide a vehicle for work, readily available at all times and the employee must insure the vehicle is roadworthy and insured for business use.

The essential car user allowance is currently £1239 per annum for cars over 1200cc. (Petrol used for business mileage is claimed in addition to this lump sum).

The allowance may be withdrawn, with contractual notice, where the requirements of eligibility are no longer met. Mileage payable is at the essential user rate currently 45 p per mile from 6 April 2011 (current leased car rates apply for leased car users). The amount claimed will be paid monthly through the payroll. Payments of excess travel mileage are declared by the employer ("benefit in kind") on a P11D at the end of the financial year. (see appendix A).

For employees on long term sickness absence the allowance will be paid at 100% for the remainder of the first month absence, and for a further 3 months. Thereafter the monthly payment will reduce to 50% for a further 3 months and cease after this period (in line with current National Joint Council 'Green Book' provisions). Employees on maternity leave will continue to receive the allowance for the duration of their leave.

In the case of secondment the allowance will cease, if not required in the new role, and be re-instated when the employee returns to his or her substantive role. The same principle applies if the secondment requires an allowance but the substantive post does not, it will be applied and revert once the employee returns to their substantive role.

In any cases of sabbatical, career breaks or unpaid leave the allowance may cease for that period, subject to the discretion of the manager in consultation with the Head of Human Resources and Organisational development.

2.4 Casual User Car Allowance

Employees who use their own vehicle on an infrequent basis are designated as casual users. Mileage will be paid at the HMRC approved mileage rate, regardless of engine size (see appendix A)

NOTE – Where an essential user and casual user travel together, the essential car user should, unless exceptional circumstances apply, drive, (and therefore claim at essential user mileage rates)

2.5 Mileage incurred as a result of an employee's workbase being changed

This covers increased mileage incurred as a result of the employee's workbase being changed due to business and/or operational needs. This is a change of workbase at the employers' request and not a change at the request of the employee.

Employees who apply voluntarily for a post at either Council are not eligible to claim under this policy.

Employees who have dual base contracts, SEBC and FHDC are not eligible to claim increased mileage for a change of base.

Employees are eligible for increased travel mileage if the shortest journey by road from their home to the new place of work is at least 5 miles further one way than the shortest journey by road from their home to the former place of work. The distance is calculated using AA Route Planner using the 2 relevant post codes to the nearest 0.1 of a mile.

Employees who work additional hours through choice and on a day they would not normally work, are not entitled to travel allowance on that day under this policy. Employees who work additional hours through the request of their line manager may claim travel allowance at the discretion of the line manager.

The excess mileage allowance is calculated on the difference of the actual mileage to be travelled, less annual leave entitlement, bank holidays and statutory days. Employees make a monthly claim of actual excess mileage incurred, separate from any normal business mileage claims. The claim history will be reviewed by HR after 6 months and if claims are consistent, will be paid automatically for the remaining period.

Mileage payable is at the essential user rate currently 45 p per mile from 6 April 2011 (current leased car rates apply for lease car users). The amount claimed will be paid monthly through the payroll and is subject to tax when paid.

Employees who use public transport to get to work will qualify for the difference of fares incurred between the two distances, home to new base and home to original base, claimed monthly.

The allowance is not payable during sickness absence, maternity leave or any other absence from work as no mileage is incurred.

It is the responsibility of the employee to keep HR informed of any change to their circumstance which may affect their allowance i.e. regular change in working pattern, home move etc. Any overpayment of allowance will have to be repaid and may result in disciplinary action (fraud).

Excess travel mileage will be paid for a period of 2 years from the date of transfer unless the employee moves home. The allowances will be

calculated on the difference in mileage on the date of the relocation. Should the employee move nearer to the work base the allowance will cease if it is less than 5 miles from the base. However, should the employee move further from the original base the initial allowance only will be paid.

If in the meantime the employee is successful in an application for a change in role, including any promotion in their existing role involving an increase in their Band, the entitlement will cease with effect from the official transfer date to the new role.

Note: all existing employees, offered new contracts following the introduction of the joint pay and reward strategy, have a protection on their base for mileage claims, so can claim increased mileage if they need to travel to work at their partner council. This protection exists until the employee is offered a new role at which time new terms including salary and base are agreed.

This does not apply to the Joint Leadership Team who have been employed on the dual base principle since Oct/Nov 2012.

3. GENERAL GUIDANCE

3.1 All mileage claims

All staff are required to complete a monthly mileage and car park claim form each month to claim reimbursement for work related miles travelled. All claims must be accompanied by VAT receipts for fuel purchased to support mileage claims and car park receipts. The Council reserves the right to withhold payments for petrol where no receipts are provided, unless exceptional circumstances apply.

Claims must be completed monthly and submitted to your line manager for authorisation and received by Payroll by the 7th of the following month in order to ensure the payment is received in time for the pay run. Claims should be submitted no longer than a month at a time, unless in exceptional circumstances.

If you chose to travel by bicycle or motorcycle you can claim the appropriate HMRC rate.

3.2 Pool Cars

Pool cars should be used when available, for journey's beginning and ending at the workplace. In these cases personal cars may be used and car allowances claimed as appropriate. Please ensure that you discuss these options with your line manager prior to making the journey. Staff with modifications to their private vehicles due to their disability are exempt from using a pool car. The use of pool cars will be looked at in each service area/team to see if this is a more effective way of meeting

transport needs.

3.3 Insurance

An employee using his or her private vehicle on official business or travelling as an official passenger in another staff member's car is deemed to be in the course of his or her duty for the purpose of the Local Government Pension Scheme. In other respects, provision for injury or death of another person due to an accident while a staff member is using his or her private motor vehicle on official business is the member of staff's own responsibility, i.e. to be covered by their insurance via their insurance company. Please note, if you have an accident whilst driving on council business the Council will not pay any excess insurance penalties that you may incur.

Staff using their own private vehicle for official business must satisfy certain insurance conditions. It is the staff member's own responsibility to ensure that their insurance policy covers the risks set out below and contains either:

- a clause permitting the use of the vehicle by the policy holder in person in connection with his or her business; or
- a clause specifically permitting the use of the vehicle by the policyholder in person on the business of their employer. Please note, the Council will not pay any charges you may incur for adding business use to your current insurance policy.

The Council will not routinely reimburse any staff member for any loss or damage resulting from the use of their private motor vehicle on official business whether or not the cost of such loss or damage can be claimed under that staff member's insurance policy. In exceptional circumstances where damage occurs on company business and the employees insurance does not cover such damage, Heads of Service may make a reasonable, discretionary payment in consultation with HR.

If a staff member, in the course of their duties, is required to carry official cash or expensive equipment in his or her private vehicle, he or she must check with their line manager if such items are covered under the Council's insurance policy.

All essential users are required to provide proof of insurance, current driving licence and MOT Certificate (if applicable) to their line manager upon commencement of employment or commencement of the allowance. Both Councils reserve the right to make spot checks on these documents as required and at any time. Employees will also have to produce these documents prior to using a pool car for the first time.

4. **EXPENSES/SUBSISTENCE CLAIMS**

4.1 Expenses

7.

SEBC/FHDC will normally pay subsistence to staff members who necessarily incur expenses when they are away from home, their normal place of work (normal place of work includes any of the Council's sites). The subsistence paid must cover only the costs actually and necessarily incurred. If an employee at FHDC is working at SEBC they will not be eligible to claim subsistence allowance and vice versa. If an employee at either Council is working at any of the sites they will not be eligible to claim subsistence. This includes work outside of normal working hours. It is the responsibility of the employee to make provisions for lunch irrespective of where they may be working at any of the West Suffolk locations and either Council is not responsible for the payment of such expenses.

Subsistence claims for courses and training must be approved by the line manager in advance. Claims for alcoholic beverages will not be reimbursed and should be paid for by the individual concerned.

Claims for meals and refreshments will need to be authorised by the line manager.

Breakfast and Evening Meal rates are detailed in Appendix A. All claims for subsistence should be for the actual amount spent, up to the maximum limits detailed in Appendix A and must be submitted on the appropriate form.

VAT receipts to support expenses claims must be attached to the claim form then be passed to your line manager in order for them to authorise your expenses claim. If no receipts are provided claims will not be paid.

For staff undertaking college/university courses please refer to the Training Policy with regards to expenses/subsistence and travel costs.

Claims should be completed monthly and submitted to payroll by the 7th of the following month, in order to ensure payment is received in the subsequent pay run. The maximum allowable delay for submitting expenses claims is 3 months.

4.2 Car Parking and Tolls

Staff should take advantage of free parking facilities wherever possible, but where parking costs are necessarily incurred while using a vehicle on official business, SEBC/FHDC will reimburse the actual costs. The claim must be supported by an official receipt/ticket. Illegal parking will not be condoned or paid for.

SEBC/FHDC will reimburse the actual costs of toll charges incurred on official journeys. The claim should be supported, where reasonable and appropriate, by an official receipt. Where the toll charge is inherent in the journey, further verification by presentation of a receipt will not be necessary.

4.3 Travel by Rail or Public Transport

SEBC/FHDC will reimburse staff for rail and public transport. Staff must ensure they take the most economical cost effective route for travel. All claims must be supported by an official receipt/ticket. Rail tickets should be purchased through the nominated process by contacting HR Team and giving a weeks notice of travel. If this is not deemed to be advantageous then any other low cost options that may be available, for example, day return or season tickets may be purchased, where their use is consistent with the efficient and economic conduct of the official business.

If rail tickets are purchased by the employee it is possible to claim the costs incurred. The claim must be supported by an official receipt/ticket.

4.4 Taxis

Costs of taxis may be reimbursed only:

- where there is no other suitable cycling, public transport, pool car or car share option
- when heavy luggage has to be transported to or from the place of departure or arrival;
- when the person travelling has a mobility problem and is unable to use public transport;
- if a journey is made after dark and the use of public transport would involve a long wait in circumstances in which the person travelling would feel at risk; or
- a combination of any of these situations.

Taxi journeys can be claimed but must be supported by an official receipt.

4.5 Air Travel

A member of JLT must approve all air travel. Air travel will be authorised only:

- where air travel represents a saving in cost over other forms of travel; and/or
- where air travel represents a significant saving in time and where the saving of official time is important.

Air travel bookings should be economy class for all journeys. All air travel booking claims should be supported by an invoice or VAT receipt.

4.6 Overnight accommodation

Staff should not normally stay overnight at the expense of either SEBC or FHDC before a meeting in London or other locations when it is feasible to travel on the day of the meeting.

Before authorising overnight accommodation the line manager should satisfy themselves that the overnight stay is necessary in order to conduct Council business and that the most cost effective accommodation is obtained and that the costs are within the limits specified in Appendix A.

Most hotels will forward an invoice to the Council for payment. However in cases where this is not practical staff are responsible for settling their accounts. Allowable expenses may be claimed. See Appendix A for rates.

5. Enquiries and Change Control

- 5.1 All enquiries relating to this document should be directed to Human Resources.
- 5.2 This policy will be subject to a review every two years and will be initiated by the Head of Human Resources and Organisational Development. Suggestions for any changes to this document should also be forwarded to the Head of Human Resources and Organisational Development.
- 5.3 Further information on travel & subsistence is available from Human Resources.

Revisions

Date of review or revision	Reason	Author
December 2013	Aligning FHDC and SEBC policies	Wendy Canham

Appendix A

Travel & Subsistence Rates

Mileage Scheme (HMRC)	451-999cc	1000-1199cc	1200 cc & above
Training Mileage (Day release for Professional Qualification ie, CIPD, CIFA, Degree)	13.7p	14.4p	16.4p
Lease	9.406p	10.366p	11.288p
Essential (under 10,000 miles pa)	45p	45p	45p
Casual (under 10,000 pa)	45p	45p	45p
Councillors (under 10,000 miles)	45p	45p	45p
Motorcycles	24p	n/a	n/a
Bicycles	20p	n/a	n/a

Essential User Car Allowance (per annum)	451-999cc	1000-1199cc	1200 cc & above
	£846	£963	£1,239

Subsistence (Local Agreement)	Rate
Breakfast	£5.00
Lunch	£5.00
Evening Meal	£12.00

Hotel (Local Agreement)	Rate
Where hotel accommodation is required your Head of Service can approve reasonable hotel expenses in advance and authorise any subsequent expenses claim.	As agreed by HoS

HMRC rates are subject to change.