

Motor Vehicles - Use of Within NSW Health

Summary This Policy Directive advises of the Motor Vehicle Policy for NSW Government Agencies that applies to NSW Health vehicles, as well as defining personal use of motor vehicles within NSW Health.

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Distributed to Public Health System, Health Associations Unions, NSW Ambulance Service, Ministry of Health, Public Health Units

Audience All staff

Secretary, NSW Health

This Policy Directive may be varied, withdrawn or replaced at any time. Compliance with this directive is mandatory for NSW Health and is a condition of subsidy for public health organisations.

MOTOR VEHICLES-USE OF WITHIN NSW HEALTH

PURPOSE

This Policy Directive advises of the Motor Vehicle Policy for NSW Government Agencies that applies to NSW Health vehicles, as well as defining personal use of motor vehicles within NSW Health.

MANDATORY REQUIREMENTS

NSW Health organisations must comply with all the provisions and requirements set out in this Policy Directive concerning the use of NSW Health motor vehicles.

IMPLEMENTATION

Chief Executives are required to ensure that this Policy Directive is communicated to, and implemented by all staff involved in the administration, management or approval of the use of NSW Health motor vehicles.

REVISION HISTORY

Version	Approved by	Amendment notes
PD2014_051 December 2014	Deputy Secretary, Governance, Workforce and Corporate	Consolidated into one Policy Directive and updated to new format. Duplication of content with the Motor Vehicle Policy for NSW Government Agencies removed.
PD2007_029 May 2007	Deputy Director General	PD2005_403 and PD2006_033 consolidated into PD2007_029 PD2005_040 - new policy
PD2005_040 January 2005	Deputy Director General	New policy

ATTACHMENTS

1. Motor Vehicles – Use of Within NSW Health Service: Procedures.

Motor Vehicles – Use of Within NSW Health



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1 BACKGROUND

1.1 About this document

This Policy Directive advises of the Motor Vehicle Policy for NSW Government Agencies that applies to NSW Health vehicles, as well as defining personal use of motor vehicles within NSW Health.

1.2 Key definitions

Employee is a person employed by NSW Health as defined within this policy.

Health Executive Service (HES) is the group of staff within the NSW Health Service who are appointed as health executives under Chapter 9 Part 3 of the *Health Services Act 1997*.

Household means a family group living in the same domestic dwelling.

NSW Health is any agency in which staff of the NSW Health Service are employed and all other bodies and organisations under the control and direction of the Minister for Health or the Secretary of the Ministry of Health.

NSW Health organisation is any agency in which staff of the NSW Health Service are employed.

Additional definitions are contained in the Motor Vehicle Policy for NSW Government Agencies (see section 2 below).

2 MOTOR VEHICLE POLICY FOR NSW GOVERNMENT AGENCIES

StateFleet within the NSW Government Services is responsible for the Motor Vehicle Policy for NSW Government Agencies.

Premier and Cabinet Circular 2007-54 'Motor Vehicle Policy' states that the StateFleet Motor Vehicle Policy applies to all public sector agencies other than State Owned Corporations. This includes the NSW Health Service.

The StateFleet Motor Vehicle Policy outlines the factors that must be addressed in the management of NSW Health's motor vehicles. Link follows:

<https://www.statefleet.nsw.gov.au/sites/default/files/alerts/pdf/Motor%20Vehicle%20Policy%20for%20NSW%20Government%20agencies%20-%20V13%20-%202014042014.pdf>

Attention is particularly drawn to Section 4 of the StateFleet Motor Vehicle Policy which provides that personal use of a vehicle within a fleet is not permitted unless such use is authorised by the relevant Chief Executive or otherwise provided for under an industrial instrument or other Government policy. The StateFleet Motor Vehicle Policy provides additional requirements and information in relation to the personal use of motor vehicles.

3 PERSONAL USE OF MOTOR VEHICLES

3.1 Health Executive Service, Public Service senior executives and non – award remunerated employees

Such employees who may be allocated vehicles for private use are to ensure other persons authorised by them to use the vehicle are properly licensed and display appropriate plates on the vehicle. This means both provisional and learner drivers.

Where such employee has been given the private use of a motor vehicle and does not maintain running sheets, the cost of the employee's motor vehicle contribution is to be calculated on a 100% private basis.

3.2 Award employees (NSW Health Service employees only)

Award-covered employees of the NSW Health Service who require the use of an official motor vehicle for official purposes during the normal course of their duties may be offered the allocation of a motor vehicle for private use. Private use of a NSW Health vehicle is not permitted unless such use is authorised by the relevant Chief Executive or delegate, or otherwise provided for under an industrial instrument or in this Policy Directive.

When the offer is made, it must clearly indicate whether the private use extends to:

- Travel to and from place of work
- Other after hours and general weekend running, and
- Travel during periods of leave.

Private use includes the carriage of non-government passengers and/or non-business passengers.

Private travel, in general, includes travel to and from home, to the normal place of work, but does not include:

- Kilometres travelled which are associated with emergency on call arrangements, or the security garaging of the vehicle
- Kilometres travelled that are associated with an employee performing duties in the field, and the employee proceeding to their home after completing duty in preference to returning to their normal place of work, and
- Kilometres travelled when the employee proceeds to duty directly from home on the following day to a location away from their normal place of work.

Fleet needs will determine whether a vehicle will be allocated on a business/private basis. Fleets are not to be expanded to cover allocations under this clause. Vehicles cannot be allocated on a 100% private basis under this arrangement.

When an official vehicle is allocated to an award employee for business/private purposes, it is subject to the following restrictions:

- The car is not to be driven by any person other than the employee or their nominee, being another member of the employee's household and
- This nominee must have a current State driver's licence which can include Learner or Provisional licensed drivers.

Note: Notwithstanding the above, where specific methods of charging for motor vehicle use for particular classifications of employees have been determined by the Health Administration Corporation prior to November 1997 and have not subsequently been varied or rescinded, those approved arrangements and methods of charging for the particular classifications of employees will prevail over the charges and methodology specified in this policy.

3.2.1 Contribution rate for private usage

Award-covered employees of the NSW Health Service permitted private use of a NSW Health vehicle are required to contribute at a rate determined by the Secretary from time to time. The applicable rates are detailed by way of Information Bulletin.

Annual registration, insurance, roadside service arrangements, maintenance and running costs including fuel will be paid by NSW Health. Cost for cleaning of vehicles is to be met by the employee and is not to form a charge against the organisation.

At the start of any 12 month period, employees who have been granted approval to have private use of a NSW Health motor vehicle, are to nominate an estimated proportion of private travel, i.e. up to and including 15,000 kms, or greater than 15,000 kms.

Charges are to be levied each pay cycle. If an employee ceases the arrangement, no adjustment is to be made to the rate of charge. For example if an employee nominates the over 15,000 kms, ceases the arrangement after 3 months after travelling 5,000 private kms, this employee would be required to pay 3 months' worth of the higher rate. A *pro rata* calculation as follows is to be applied:

$$\text{Annual Rate} \times \frac{\text{Number of days used}}{365.25}$$

Reconciliation is required on an annual basis to establish that the appropriate contribution rate has been paid (i.e. up to and including, or greater than 15,000km) and if necessary, the employee must pay the additional contribution or receive a refund as

appropriate. Where it is evident during the year that an employee has nominated an inappropriate annual total kilometre level, the employee is to be contacted with a view to amending the contribution rate during the annual period so that the employee does not have to pay or receive a large adjustment at years end.

Employees are responsible for the payment of any insurance excess if damage occurs whilst the vehicle is being used for private purposes.

The payment by the employee to the public health organisation is payment for a taxable supply and, as such, 1/11th is payable by the public health organisation as GST. The rates are not to be grossed up as the cost structure used to determine these rates is inclusive of GST. The NSW Health organisation can claim input tax credits on actual running costs (i.e. fuel, tyres, servicing and repair costs).

3.2.2 Access to vehicles during leave

Approval must be given by the relevant Chief Executive or delegate for the motor vehicle to be used by an employee during any leave period over four working days subject to a limit of six weeks per annum for annual leave or other type of leave. In granting such approval the Chief Executive or delegate must be satisfied the business needs of the organisation will be met during the period the motor vehicle is unavailable. Employees are required to pay for all fuel used during periods of leave greater than four days. The organisation is to determine the most appropriate method of ensuring that employees pay for all fuel used during leave (e.g. recoup petrol card expenditure from employee or inform the employee they are not to use the official fuel card during the period of leave). The applicable annual rate is not to be adjusted when the vehicle is returned to the pool during periods of leave.

3.2.3 Running sheets

Running sheets must be kept for all official business journeys undertaken in fleet vehicles. All fuel purchases are to be recorded with dockets being attached. Petrol dockets do not have to be attached to running sheets if the NSW Health organisation has a system in place whereby all particulars are captured on the fleet management system and any instances of possible inappropriate use identified. Running sheets are to be submitted monthly with month end odometer readings specified.

3.3 Official (pool) vehicles

These are vehicles which are available for business use purposes, comprise part of a NSW Health organisation fleet and are not allocated for private use.

3.3.1 Conditions for use of pool vehicles

Employees may garage a vehicle at their homes:

- a) When their duties include a requirement to provide a service in an emergency, or
- b) When their duties require them to undertake, prior to the next ordinary working day, other official duties which require the use of a motor vehicle, or

- c) When they will proceed to duty directly from their home on the following day, at a location away from their normal place of work, or
- d) Where the NSW Health organisation lacks suitable overnight secure parking. (In these circumstances employees who reside in close proximity to the NSW Health organisation facility should be allocated the vehicle.)

In respect of (b) and (c) above, consideration is to be made as to whether by giving permission will result in reduced vehicle usage or more effective use of the employee's time on duty.

Ad hoc use of vehicles on official business, where overnight garaging is required, is to be approved in writing by the Chief Executive or delegated person. Where on-going approval is required in individual (e.g. emergency) or group (e.g. community nurses) circumstances the Chief Executive or delegated person is to approve. A register of such approvals authorising employees to garage NSW Health organisation fleet vehicles at their home on an on-going basis is to be maintained and reviewed quarterly by the Audit Committee of the NSW Health organisation.

Under no circumstances is transport to and from work to be offered as an inducement to, or the continuation of, employment.

During out-of-hours-use no person, other than the authorised employee, is to use the vehicle and the vehicle cannot be used for private purposes other than the authorised travel to and from the employee's residence. All travel is to be recorded.

Employees should be made aware of any FBT liability that they may incur through the use of official (pool) vehicles.

3.3.2 Contractors – access to pool vehicles

Only in those circumstances where a NSW Health organisation vehicle is required to carry out the contracted work or as part of the contracted service may approval be given to a contractor to use an official pool vehicle. Under no circumstances are contractors permitted to use an official vehicle for private purposes.

3.3.3 Return of vehicle during leave

Pool vehicles are to be returned to the fleet for any periods of planned leave. In instances of unplanned leave (e.g. sick leave) or where the period of planned leave is short (e.g. one day), management may consider that return of the vehicle is not warranted. In these instances the employee is to contact their supervisor to determine whether arrangements are to be made to return the vehicle.

3.4 General Provisions

3.4.1 Fleet requirements

Chief Executives must ensure that motor vehicles approved for allocation to employees for private use at no direct charge to the employee (e.g. emergency on call) are integrated as part of the organisation's fleet and meet a genuine business need.

NSW Health has the right to require any NSW Health vehicle to be available for use by other staff for official purposes. Vehicles are to be available for use by other employees of NSW Health on a daily basis. This availability takes precedence over private use. These vehicles are to be parked on work site each day unless the officer is on approved leave.

Decisions in relation to fleet needs, access to a vehicle for private purposes and vehicle type are the responsibility of the Chief Executive or their delegate. Decisions made should be fully documented and retained on an appropriate file for review by internal audit.

3.4.2 Written acceptance of conditions

Written acceptances are required for employees under arrangements 3.1 (Health Executive Service), 3.2 (Award Employees of the NSW Health Service) and for those employees approved on an on-going basis under 3.3 (Official Pool Vehicles). Written acceptance is to include an express acknowledgement by the employee that continued access to a NSW Health vehicle for private use is conditional upon acceptance of any future variations made either to charges or conditions of use of vehicles as may be determined by the Ministry of Health from time to time.

3.4.3 Tolls

Any tolls incurred during private travel/personal use must be met by the employee concerned.