NHS Wales – Local agreement on the reimbursement of travel costs to replace Section 17 of the National Terms and Conditions of Service Handbook.

17.1 This Section deals with the reimbursement of costs incurred by employees who, with the agreement of their employer, use their own vehicles or pedal cycles, to make journeys in the performance of their duties.

17.2 Principles underpinning lease vehicle policies are in Annex M. If the employer withdraws the offer of a lease vehicle in line with the provisions of Annex M the employee is entitled to the appropriate rates of reimbursement in Table 7.

17.3 The reimbursement of travelling costs when employees are required to change their base of work as a result of a reorganisation or merger of NHS employers or when employees accept another post as an alternative to redundancy, will be for local partnerships to determine in line with Section 19 and Annex O, subject to a maximum period of reimbursement of four years from the date of transfer (see paragraph 17.17 for compulsory change of base).

17.4 This Section is effective from 1 January 2015 and is part of a three year agreement which applies until 31 December 2017. It replaces the previous Section 17 and all existing national agreements on protection. It applies to all employees on the terms and conditions of service in this Handbook who have been in receipt of the nationally agreed mileage payments.

17.5 When using their vehicles in the performance of their duties employees must ensure they possess a valid driving licence, “motoring organisation test (MOT) certificate” and motor insurance which covers business travel, that he or she is fit to drive and drives safely and that they obey the relevant laws e.g. speed limits. The employee must inform the employer if there is a change in status.

17.6 When authorising the use of a vehicle, the employer must ensure that the driver has a valid driving licence and MOT certificate and has motor insurance which covers business travel.

17.7 The employer and employee will agree the most suitable means of transport for the routine journeys which employees have to make in the performance of their duties. If a particular journey is unusual, in terms of distance or purpose, the mode of travel will be agreed between the employer and employee, before it starts.

17.8 There may be circumstances where newly appointed or lower paid employees need assistance to obtain a vehicle to undertake business travel. Where the use of a vehicle is essential to the job the organisation may wish to assist by providing a lease or pool vehicle or a salary advance (see Annex M).
Rates of reimbursement

17.9 Employees who use their vehicles to make journeys in the performance of their duties e.g. to provide care in the patient’s home, will be reimbursed their motoring costs at the appropriate rates shown in Table 7. These rates of reimbursement apply to journeys undertaken on and after 1 January 2015.

17.10 The rates of reimbursement are set out in Table 7.

17.11 The rates of reimbursement in Table 7, columns 2 and 3 and the rate of reimbursement for motor cycles in column 4 will apply from 1 January 2015 and are those set out by HMRC as approved mileage allowance payments (AMAP rates). These rates of reimbursement will be adjusted in accordance with the published AMAP rate. The rates will apply to all journeys undertaken on and after 1 January 2015.

17.12 The reserve rate in column 4 will move in line with the mechanism identified in, Annex L (Paragraph 11).

Table 7

Rates of reimbursement from 1 January 2015

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of vehicle/allowance</td>
<td>Annual mileage up to 10,000 miles (standard rate)</td>
<td>Annual mileage over 10,000 miles (standard rate)</td>
<td>All eligible miles travelled (see paragraph 17.15 and Table 8)</td>
</tr>
<tr>
<td>Car (all types of fuel)</td>
<td>45 pence per mile</td>
<td>25 pence per mile</td>
<td>24 pence per mile</td>
</tr>
<tr>
<td>Motor cycle</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pedal cycle</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Passenger allowance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reserve rate</td>
<td></td>
<td></td>
<td>28 pence per mile</td>
</tr>
<tr>
<td>Carrying heavy or bulky equipment</td>
<td></td>
<td></td>
<td>3 pence per mile</td>
</tr>
</tbody>
</table>

Review

17.13 After 1 January 2015 any changes to the AMAP rate will be automatically applied to the standard rate of reimbursement and the rate for motorcycle users. The reserve rate in Table 7, will move in line with any changes agreed by a NHS Staff Council review in line with the provisions in Annex L.

17.14 With the exception of the mechanism to determine the “Reserve Rate” as noted in paragraphs 17.12 and 17.13, Annex L does not apply.
Eligible mileage

17.15 Employees will be reimbursed for miles travelled in the performance of their duties which are in excess of the home to agreed work base return journey. Normally, the miles eligible for reimbursement are those travelled from the agreed work base and back. However, when the journey being reimbursed starts at a location other than the agreed work base, for example home, the mileage eligible for reimbursement will be as set out in the example in Table 8.

Table 8
Eligible mileage

<table>
<thead>
<tr>
<th>Eligible mileage – illustrative example</th>
<th>Journey (outward)</th>
<th>Distance</th>
<th>Eligible miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>In this example the distance from the employee’s home to the agreed base is 15 miles</td>
<td>Home to base</td>
<td>15 miles</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>Home to first call</td>
<td>Less than 15 miles</td>
<td>Eligible mileage starts after 15 miles have been travelled</td>
</tr>
<tr>
<td></td>
<td>Home to first call</td>
<td>More than 15 miles</td>
<td>Eligible mileage starts from home, less 15 miles</td>
</tr>
<tr>
<td>Journey (return)</td>
<td>Last call to base</td>
<td>Eligible mileage ends at base</td>
<td>Last call to home</td>
</tr>
<tr>
<td></td>
<td>Less than 15 miles</td>
<td>Eligible mileage ends 15 miles from home</td>
<td>Last call to home</td>
</tr>
<tr>
<td></td>
<td>More than 15 miles</td>
<td>Eligible mileage ends 15 miles from home</td>
<td></td>
</tr>
</tbody>
</table>

Passenger rate

17.16 With the exception of lease, pool or hire vehicle users, where other employees or members of an NHS organisation are conveyed in the same vehicle on NHS business and their fares would otherwise be payable by the employer, the passenger allowance in Table 7 will be payable to the vehicle driver.

Reserve rate of reimbursement

17.17 A reserve rate of reimbursement, as in Table 7, will apply to employees using their own vehicles for business purposes in the following situations:

- if an employee unreasonably declines the employers’ offer of a lease vehicle:
  - in determining reasonableness the employer and employee should seek to reach a joint agreement as to whether a lease vehicle is appropriate and the timeframe by which the new arrangements will apply. All the relevant circumstances of the employee and employer will be considered including an
employees’ personal need for a particular type of car and the employers’ need to provide a cost effective option for business travel;

- when employees are required to return to work or work overtime in line with Section 3 on any day, and incur additional travel to work expenses on that day. This provision will apply if the employee chooses to be paid for the extra hours or takes time off in lieu (TOIL – see Section 3);

- when a claim for excess mileage is made in situations where there is a compulsory change of base, either permanent or temporary, resulting in extra daily travelling expenses. The period of payment will be for local partnerships to determine, subject to a maximum period of 4 years from the date of transfer. (For those employees using public transport see paragraph 17.25);

- if an employee uses his or her own vehicle when suitable public transport is available and appropriate in the circumstances, subject to a maximum of the public transport cost which would have been incurred (see paragraph 17.7) and the rules on eligible miles in paragraph 17.15 and Table 8.

Attendance on training courses

17.18 Additional travel costs incurred when attending courses, conferences or events at the employer’s instigation will be reimbursed at the standard rates in Table 7 when the employer agrees that travel costs should be reimbursed.

17.19 Subject to the prior agreement of the employer, travel costs incurred when staff attend training courses or conferences and events, in circumstances when the attendance is not required by the employer, will be reimbursed at the reserve rate in Table 7, in line with the rules on eligible mileage in paragraph 17.15 and Table 8.

“Out of pocket” expenses in respect of business travel

17.20 This paragraph applies to employees for whom regular travel in a motor vehicle is an essential part of their duties. During a period when the employee’s vehicle is temporarily “off the road” for repairs, “out of pocket” expenses in respect of business travel by other appropriate forms of transport, should be borne by the employer. Reimbursement of these expenses will be subject to the rule on eligible mileage in paragraph 17.15 and Table 8.

Other allowances

17.21 Employees who necessarily incur charges in the performance of their duties, in relation to parking, garage costs, tolls and ferries shall be refunded these expenses on production of receipts, whenever these are available. Charges for overnight garaging or parking, however, shall not be reimbursed unless the employee is entitled to night
subsistence. This does not include reimbursement of parking charges incurred as a result of attendance at the employee’s normal place of work.

Transporting equipment

17.22 Employees who use their vehicles in the performance of their duties may be required to take equipment with them. Employers have a duty of care under the Health and Safety at Work Act 1974 and related legislation, to ensure that this does not cause a risk to the health and safety of the employee. Employees should not be allowed to carry equipment which is heavy or bulky, unless a risk assessment has been carried out beforehand. When, after the necessary assessment has demonstrated it is safe to carry equipment, an allowance (see Table 7) shall be paid for all eligible miles (see paragraph 17.15 and Table 8) for which the equipment is carried, provided that either:

- the equipment exceeds a weight which could reasonably be carried by hand; or
- the equipment cannot be carried in the boot of the vehicle and is so bulky as to reduce the seating capacity of the vehicle.

Pedal cyclists

17.23 Employees who use pedal cycles to make journeys in the performance of their duties will be reimbursed for eligible miles travelled at the rate in Table 7 (see paragraph 17.15 and Table 8 for eligible miles).

Public transport

17.24 If an employee uses public transport for business purposes, the cost of bus fares and standard rail fares should be reimbursed.

17.25 Where there is a compulsory change of base, either permanent or temporary, resulting in extra public transport costs for the employee, these extra costs will be reimbursed, subject to a maximum period of four years from the date of transfer. (For those employees using their own vehicles for business purposes and incurring additional costs see paragraph 17.17).