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|  | **Policy Name** | **Use of Private Vehicle Policy for STA business** |
|  | **Policy Number** | **12** |
|  | Version No. | V3 |
|  | Approved by Board on | 27 March 2017 |
|  | Amendment Dates | Major update August 2023 |
|  | Last Review Date |  |
|  | Review Dates | Every 36 months |

**Purpose**

The policy shall apply to staff travel where an employee's private vehicle is used to undertake work related purposes.

Safe vehicle use and operation is a priority for STA, along with the safety of our people and community.

**Policy**

This policy governs the use of employees’ private vehicles for authorised STA business. This policy outlines the matters to be considered when using a private motor vehicle for STA business travel and the procedures to claim reimbursement for such use.

1. **Conditions**

An STA staff member may use their own vehicle for STA business purpose providing the following circumstanced are achieved;

* 1. Travel occurs when the STA car is not available for use staff.
  2. The travel cannot be postponed
  3. Public transport or a taxi is not a reasonable alternative and the departure time of travel is before or after normal business hours making the exchange of vehicles logistically impractical.
  4. Using a private vehicle is a last resort option
  5. The use of private vehicle must be approved by the ED prior to the travel being undertaken.
  6. Approval for the use of a private vehicle is not to be anticipated and no expenses should be incurred prior to formal approval.

1. **Code of Conduct**

While driving vehicles for work purposes, staff must comply with traffic legislation, be conscious of road safety and demonstrate safe driving and other good road safety habits. The following actions while driving vehicles for work purposes will be viewed as serious breaches of conduct and dismissal may be a consequence:

* Drinking or under the influence of drugs while driving;
* Driving while disqualified, or not correctly licensed;
* Reckless or dangerous driving causing death or injury;
* Failing to stop after a crash;
* Demerit points leading to suspension of a licence;
* Any actions which warrant suspension of a licence.

1. **Responsibilities As An Employee**

Staff who are driving their own vehicles for work purposes will:

* Ensure they hold a current driver licence for the class of vehicle they are driving;
* Immediately notify the ED if their driver licence has been suspended or cancelled, or has had limitations placed upon it;
* Ensure their private vehicle, when used for work related tasks, is roadworthy and in good working order
* Ensure their private vehicle is appropriately registered and comprehensively insured.
* Be responsible and accountable for their actions when driving vehicles;
* Display the highest level of professional conduct when driving;
* Assess hazards while driving and anticipate 'what if' scenarios;
* Comply with all traffic legislation when driving a vehicle;
* Follow the crash procedures outlined in this policy;
* Provide STA with current driver’s licence, registration and insurance details and update whenever details change.

In addition it is required that all drivers:

* Take regular and adequate rest breaks;
* Stop when tired;
* Plan the journey, taking into consideration pre-journey work duties, the length of the trip and post-journey commitments;
* Stay overnight if driving time and non-driving duties exceed 10 hours in one day;
* Take breaks every two hours;

1. **Responsibilities of STA as an employer**

STA will be responsible for maintaining up-to-date records including:

* All relevant driver’s licence information including class, expiry date and licence number;
* Current residential address and telephone number;
* All relevant vehicle registration details including date of expiry;
* All relevant third party and comprehensive insurance details including; insurance company, policy numbers and expiry dates.

STA will not require staff to drive under conditions which are unsafe and/or likely to create an unsafe environment, physical distress, fatigue, etc.

The employer will encourage safe driving behaviour by:

* Not paying staff speeding or other infringement fines;
* Discouraging the use of mobile phones in vehicles;
* Encouraging the use of trains, taxis and buses whenever necessary.
* The employer will require that all staff who use vehicles in the course of their work carry a First Aid Kit.

1. **Requirement For Private Vehicle To Be Covered By Insurance**

A staff member using their own private vehicle for work related purposes does so with the understanding the use is not covered by Southern Tablelands Arts Inc Insurance Policy, rather, claims for coverage resulting from an incident or accident would be against the private vehicle’s comprehensive insurance policy.

* Staff should ensure that their vehicle is legally registered, roadworthy and comprehensively insured.
* STA will only reimburse a staff member for use of a private vehicle for business travel where the staff member certifies, at the time of submitting their claim, that the vehicle is covered by Comprehensive Insurance and Compulsory Third Party Insurance policies.
* If a private vehicle is damaged whilst being used for STA business purposes and the damage is deemed by the insurer as not the fault of the STA staff member STA will reimbursed the staff member for any 'normal' excess insurance charges prescribed by the insurer.
* STA will only reimburse excess where a claim has been made on the insurer and the insurer has deducted an excess at settlement.
* All claims are to be submitted in writing to the ED and
* must be supported by evidence of excess deduction applied by vehicle insurer.
* STA will not accept any claims for damages other than in respect of insurance excess.

1. **Reimbursement For Use Of Private Vehicle**

The employee may seek vehicle usage allowance as per their contract of employment. In conducting the business of Southern Tablelands Arts Inc. staff may apply for remuneration to cover travel costs within the following conditions:

* 1. STA applies the Australian Taxation Office's 'reasonable reimbursement' rate for motor vehicles based on engine capacity. The rates per business kilometre are available on the Australian Taxation Office's website.
  2. All claims must be submitted on the staff timesheet and be approved by ED.
  3. Claim forms should be submitted within one month of the vehicle usage being claimed.
  4. PAYG tax is not deducted and the amount will be shown as an "allowance" on the staff member's annual Payment Summary.
  5. Whilst PAYG is not deducted, the allowance will be assessable for taxation should the total annual kilometres reimbursed exceed 5000kms. It is the responsibility of the staff member to keep their own records.
  6. Staff must record the following details about each instance of travel with a personal vehicle
  + Odometer reading at the beginning and at the completion of the travel
  + Date
  + Purpose
  + Departure and destination locations
  + Project code for budget allocation of costs
  1. Prior to any payment, the employee must certify that all travel took place is approved.
  2. Payment for using private vehicle for official business may only be made for prior approved travel.

Reimbursement for travel does not cover time or distance of travel to and from work locations as stipulated in the contract of employment.

1. **Theft**

Theft of property belonging to the owner of the privately-owned vehicle (whilst being used for work related purposes) is not covered by Southern Tablelands Arts Insurance Policy. Under these circumstances, the staff member will be required to claim expenses related to theft from their vehicles through their own insurance policy.

1. **Safe driving**

All STA employee using their own vehicle for business travel

* + Must have a valid Class C driver’s license.
  + Must have a good driving record.
  + Must know the rules of the road.
  + Must be able to follow safety and traffic rules, including those on seatbelt usage, mobile phone use and driving while fatigued or intoxicated.
  + Must report damages, accidents, and other concerns incurred whist driving for STA business immediately to the ED.

1. **Accidents**

* At the scene of an accident, employees should call an ambulance if any person is seriously injured. Dial 000 or, if using a mobile phone, dial 112.
* The police should also be notified immediately in the event of personal injury or fatality, if all drivers do not provide personal details, if any of the motor vehicles need to be towed from the scene of the accident, or if damage to vehicle or property is estimated to be over $2500. If the police are unable to attend at the scene, the employee should report to the nearest Police Station and make a written statement.
* Record the full names, addresses, workplace details, telephone numbers, insurance and registration of all drivers, passengers, witnesses and the other vehicles involved in the accident. No discussion should be entered into whatsoever as to the negligence of either party. Where the vehicle is to be towed, ensure that the tow truck operator supplies you with documentation confirming the tow and the details of where the vehicle will be taken.
* The ED should be advised as soon as possible after the accident so that the necessary insurance arrangements can be made. An Incident Report Form & a Motor Vehicle Damage / Accident Form must be completed, and returned to STAas soon as possible. This notification must be made irrespective of which party was at fault.
* An insurance claim form must also be completed and returned to the employee’s manager/supervisor.

1. **Fines And Traffic Infringements**

* Parking and other traffic fines associated with the use of STA or private owned vehicles are the responsibility of the employee using the vehicle at the time the infringement occurs. However, in the event that the fine is imposed due to the un-roadworthy condition of the vehicle and the employee was unaware of the vehicle’s condition, the employee will not be held liable.
* The employee that is driving the vehicle is to admit to any infringement and be responsible for the payment of the fine. Fines unallocated to a specific driver are charged to STA and this is considered to be an act subject to disciplinary action.
* Any outstanding fines that are paid by STA will be deducted from the employee’s pay.

**Relevant documents**

Staff Contracts

Clerk Private Sector Award 2010 as amended from time to time.

Code of Conduct

Financial Management Policy

Staff Vehicle Log Sheets

Risk Management Policy