

 <b>Adelaide Plains Council</b>	<b>Council Vehicle Policy</b>	
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	Chief Executive Officer	<b>Next Review Date:</b> 2022
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## 1. Introduction

The purpose of this policy is to provide provisions for the management and use of Council's fleet of vehicles that support business practices, ensuring best practice and cost efficiencies are maintained with clear standards for the use of Council vehicles.

Council recognises that the provision of private use of a motor vehicle, costed as part of a remuneration package, can be a significant factor in the recruitment and retention of employees and that commuter use of utility vehicles can lead to more efficient delivery of services.

It is noted, where a current employee who has private use of a Council vehicle terminates their employment with Council, the new incumbent will not be provided a vehicle outside the requirements of this Policy.

In this situation vehicles will remain within Council's Pool Vehicle Fleet unless the Chief Executive Officer (CEO) has resolved that they are excess to Council's operational requirements at which point the vehicle will be disposed of in accordance with Council's Asset Management Policy.

Where a current employee has private use access to a Council vehicle as part of their current employment this will continue in line with this Policy. Where a current employee wishes to negotiate away from a current private use vehicle as part of their employment this may be done in negotiation with the CEO, however, any negotiated agreement will not financially disadvantage Council against any current agreement.

This Policy outlines the general principles associated with Council passenger and utility vehicles for accountability purposes.

## **2. Vehicle Purchasing**

### **2.1 Fixed Term Contract Employees**

Where an employee is engaged on a Fixed Term Contract, negotiations will occur prior to the appointment regarding the provision of a vehicle as part of the salary packaging arrangements, which will be entered into and specified within the Contract of Employment.

### **2.2 Council Officers**

Council acknowledges that some employees require a vehicle as part of their employment. It is the responsibility of the CEO to identify those positions where a Council vehicle is reasonably required and to decide whether that vehicle will also be available for commuter use or full private use.

Accordingly, the CEO has resolved that these positions are confined to:

- Manager Operations
- Community Safety Officers
- Manager Regulatory
- Team Leader – Construction and Maintenance;
- Team Leader – Horticulture; and
- Engineer

Any exception is at the discretion of the CEO; where it can be demonstrated that the duties of an employee require a 24 hour on call provision, then a Council Vehicle may be allocated to that position for the duration of the on call period allowing for limited private use.

A vehicle will be purchased/leased that is suitable for operational purposes and within budget allocations as agreed by the CEO being:

- Manager level and lower – A base model vehicle under \$30,000 (Excl. GST) unless for specific operational purposes;
- Manager Operations - A 4 wheel drive vehicle under \$40,000 (Excl. GST) for operational purposes;
- Community Safety Officer - A 4 wheel drive vehicle under \$40,000 (Excl. GST) for operational purposes;
- Senior Management level as negotiated in their fixed term contract.

These vehicles will continue to be available for pool car use during business hours.

#### **4. General Conditions of Use**

- 4.1 The use of Council vehicles is at the discretion of the CEO. All vehicle use will be subject to this Policy, which may be amended from time to time by the CEO. Current road rules and legislative requirements must be adhered to at all times.
- 4.2 All Council vehicles are to be available for general pool use during business hours.
- 4.3 No modifications to any vehicle are permitted unless authorised by the CEO or Manager Operations where operational vehicles are intended to be altered.
- 4.4 All Council vehicles are Non-Smoking vehicles – Smoking is not permitted.
- 4.5 Council employees are responsible for ensuring that vehicles are maintained and kept in a clean and serviceable condition at all times. Any warranted complaint regarding vehicle hygiene may result in the vehicle being sent for cleaning and detailing at the responsible Council Officer's expense.
- 4.6 Council Vehicles are not permitted to leave South Australia with the exception of business travel or where it has been authorised by the CEO. Prior approval for such travel must be sought from the CEO and the General Manager – Finance and Business notified for insurance purposes.
- 4.7 Vehicles must be driven with due care and in accordance with current legislation at all times. Drivers must be licensed and maintain legal levels of alcohol and drug consumption for driving.
- 4.8 Where an employee receives any form of parking or driving infringement notice the employee will be responsible for all associated costs with that infringement notice. The employee responsible will complete a statutory declaration recognising them as the driver of the vehicle. Under no circumstances will Council be responsible for the associated costs of any infringement notice where the employee has broken current road rules and associated legislation.
- 4.9 If a vehicle with private use is damaged in an accident during private use and it is determined that the employee is responsible for that damage, the employee will be required to pay Council any excess payable under Council's insurance policy. The CEO may reduce or waive such payment if the CEO considers that the circumstances of the case warrants it.
- 4.10 If the vehicle is at any time driven in contravention of this clause (irrespective of whether the driver is the employee or the employee's spouse/partner) the following provision shall apply:
  - the use of the vehicle shall be suspended for the period of any licence disqualification; and,
  - reinstatement of private use provisions will be subject to review following any suspension.

Note: Where it is a requirement of the Council Officer to have access to a vehicle as part of their position their employment status will be reviewed as part of any licence disqualification, as per 6.4 of this Policy.

- 4.11 Where a Council vehicle is scheduled for servicing or requires minor repairs and maintenance, employees must first contact Councils Senior Workshop Officer to determine their availability and ability to complete required works prior to making arrangements with an external provider.

## **5. Fuel**

- 5.1 Fuel must not be obtained from the Council depot unless approval is given by the Manager Operations.
- 5.2 Fuel Cards will be issued with Pin Numbers for fuel and vehicle clean/washing only. Fuel cards are to remain with the vehicle at all times and may only be used at approved outlets throughout South Australia.
- 5.3 Where an employee loses / damages a fuel card or it is stolen this is to be reported immediately to the General Manager – Finance and Business so that a replacement card may be ordered and stolen cards cancelled.

## **6. Licensing Requirements**

- 6.1 All employees will be required to provide a current copy of their driver's licence every twelve (12) months and sign a disclaimer stating that their driver's licence and any restrictions is current at the time of providing their licence. Where an employee fails to comply with this requirement they will not be permitted to use a Council vehicle.
- 6.2 If an employee is disqualified from driving a vehicle they must notify their General Manager as soon as they are aware of their disqualification and the circumstances of any known disqualification period.
- 6.3 The CEO will determine those employees who are able to have the costs of their licence reimbursed annually and in accordance with the current Enterprise Bargaining Agreement and Award conditions.
- 6.4 Where an employee is disqualified from driving and this disqualification has a direct impact on the employee's ability to perform their role the following will be considered:
- the relevant General Manager, in consultation with the CEO, may consider alternative duties for the employee for the duration of the disqualification;
  - where alternative duties are not practicable the General Manager, in consultation with the CEO, may recommend the employee exhaust their leave entitlements and consider Leave Without Pay for the duration of the disqualification; or

- the General Manager, in consultation with the CEO, may terminate the employee's employment with Council.

6.5 Where an employee is in breach of any Council code, policy or procedure their immediate employment will be considered.

## **7. Accident Procedure**

7.1 All accidents must be reported immediately to the General Manager – Finance and Business.

7.2 Should a Council vehicle be involved in any accident, the following steps must be undertaken by the driver concerned:

- Render assistance within personal capabilities to all parties requiring assistance;
- Contact the General Manager – Finance and Business as soon as practicable;
- Exchange names and addresses of owners / drivers of the vehicles involved in the accident, or any injured parties;
- Record the make and registration number of any vehicle involved, or description of the property damaged;
- Report the accident to the Police and obtain a Police Report Number where appropriate;
  - Obtain the names and addresses of available witnesses;
  - Do not admit liability for the accident or damage;
  - Do not leave the vehicle unattended at the roadside; and
  - At the first available opportunity return to the Council Office and complete a Driver Motor Vehicle Incident Report Form, in consultation with the General Manager – Finance and Business, provide the General Manager – Finance and Business with all other records, medical/quotes/towing details etc.

## **8. Fringe Benefits Tax**

Council will pay the Fringe Benefits Tax arising from the private use of Council vehicles. The taxable value of individual fringe benefits will be recorded and reported on individual payment summaries in accordance with legislative requirements. The statutory formula method will be used for the calculation of reportable fringe benefits.

## **9. Private Use**

- 9.1 Employees with private use privileges will comply with all requirements of this Policy.
- 9.2 The private use of Council vehicles is at the discretion of the CEO and will form part of an Employee's Contract of Employment. Private use will be subject to this Policy, which may be amended from time to time after consultation with Executive Management Team.
- 9.3 Private use vehicles are to be secure and parked off street overnight.
- 9.4 For Council employees who have private use, only the Council Officer to whom the vehicle is issued and their immediate family members may drive the vehicle outside of normal business hours. Council Officers will be responsible for advising the People and Culture Advisor on an annual basis (January) of the nominated drivers and providing a current copy of their driver's license.
- 9.5 At no time will Learner and Probationary (P1) drivers be permitted private use of a Council vehicle.
- 9.6 Employees who have private use of a Council vehicle may be required to make a monetary contribution for the vehicle, the value will be based on the estimated FBT expense to be incurred by Council for that vehicle. This contribution will be deducted from their pay on a fortnightly basis unless by other agreement negotiated with the CEO. The employee financial contributions relating to Private Vehicle Use will be reviewed annually with the contribution being adjusted to reflect the vehicle actual FBT costs.  
  
Employees on a Fixed Term Contract are excluded from this clause unless it forms part of any negotiated agreement.
- 9.7 Council officers with any level of private use of a Council motor vehicle shall be responsible for satisfactorily maintaining the motor vehicle in a clean and tidy condition at all times subject to weather condition, which is to include both the inside and the outside of the motor vehicle. The Council will pay/reimburse the cost of cleaning and washing.
- 9.8 Council vehicles with private use are not permitted to be used for gaining personal business income.
- 9.9 Council officers with any level of private use of a Council motor vehicle shall be responsible for organising periodic servicing of the motor vehicle.

## **10. Related Documents**

Asset Management Policy

Procurement Policy

## **11. Records Management**

All documents relating to this Policy will be registered in Council's Record Management System and remain confidential where identified.

## **12. Document Review**

This Policy will be reviewed periodically to ensure legislative compliance and that it continues to meet the requirements of Council its activities and programs.

## **13. References**

Local Government Act 1999

Worker Health and Safety Act 2012

## **14. Further Information**

Members of the public may inspect this Policy free of charge on Council's website at [www.apc.sa.gov.au](http://www.apc.sa.gov.au) or at Council's Principal Office at:

2a Wasleys Rd, Mallala SA 5502

On payment of a fee, a copy of this policy may be obtained.

Any queries in relation to this Policy must be in writing and directed to the General Manager – Finance and Business.