



PUBLIC TRUSTEE AND GUARDIAN

POLICY

DOCUMENT PROPERTIES	
Name of Policy	Vehicles Policy
PTG Policy Number	2017-5
Version/s	30.11.2016
Endorsed by SLG	30.11.2016
Authorised by	Andrew Taylor, Public Trustee and Guardian
Date for review (plus three years)	30.11.2019

USE OF PRIVATE VEHICLES FOR OFFICIAL PURPOSES

Legislation

S 540(2) of the *Public Sector Management Standards 2006* (Part 7.2 Non-executive vehicles) states the use of a non-executive vehicle for official purposes must be approved by the relevant Director General and include authority to drive and to carry passengers.

The ACT Public Service Local Area Travel Policy indicates the following: The use of private vehicles for official business purposes is not the preferred option and is limited to circumstances where the benefits outweigh the costs. Prior approval of the Director-General or delegate is required.

Private vehicles are not covered under ACT Government insurance policies and if used, would be a risk to the vehicle owner for any damage caused either to the vehicle itself or any third party person/property. Staff using their private vehicle for official business should review their insurance policy.

The Best Practice Note (BPNs) issued by Chief Minister, Treasury and Economic Development Directorate (CMTEDD) relates to the *Public Sector Management Act 1994* (PSM Act) and the *Public Sector Management Standards* (the Standards).

Following discussions with, and after consideration, the following information has been provided by CMTEDD to inform Agencies of the ACTPS position with regard to the insurance of motor vehicles used for official purposes.

General position:

The ACTPS does not provide or carry insurance on private motor vehicles used for official purposes. Additionally, the ACTPS will not accept any responsibility for financial liability or loss incurred by a staff member:

- which results from the staff member using their car for official purposes (for example, expenses related to mechanical failure, flat tyres, theft of vehicle parts, and the like); or
- which occurs incidentally to the staff member using their car for official purposes (for example, if they are involved in an accident and this has an adverse effect on their insurance policy, such as the loss of their 'no-claim bonus').

If a Public Trustee and Guardian (PTG) staff member use a personal vehicle for official purposes and is involved in a motor vehicle accident, they must disclose to their insurer, or if asked by the Police, that they were using a personal vehicle for work purposes.

Definition/s

Private motor vehicle – A vehicle not owned, insured and registered by the ACT Government.

Policy

Agency responsibilities: Before authorising a staff member to use a private motor vehicle on official business the relevant Chief Executive or Delegate should ensure the staff member has obtained the necessary insurance cover. It is important that staff members who are authorised to use their vehicle for official purposes are made aware of the general position of the ACTPS regarding insurance.

Agencies should note that it is highly unlikely that most insurers will allow official use of a car covered by a domestic policy. Therefore, it may be necessary to advise officers that if they wish to use their vehicles for official purposes, they will, most likely, be required to pay a higher annual premium. Where this is the case, Business Units within JACS will need to reimburse the staff member for the additional cost to their premium on presentation of an invoice.

If an Agency is found liable for damage arising out of an accident involving a staff member who was using a private vehicle on official business, the Agency concerned may need to consult with the ACT Government Solicitor to see whether they can claim against the staff member's insurance to recover damages.

Staff members' responsibilities: In the first instance staff should not use your private vehicle for work purposes.

A staff member who wishes to use a personal vehicle for official purposes must seek approval of the Director General or delegate and arrange adequate insurance cover. This will involve finding out from their insurance company whether cover in excess of the normal comprehensive insurance and compulsory third party insurance is required before they can use their vehicle for official purposes.

When consulting their insurance provider, staff should ensure the response from the insurer is in writing. The response should state either that the existing policy covers a private motor vehicle being used on official business for which a motor vehicle allowance is received, or that an additional premium is payable for the necessary cover.

A staff member who wishes to make a claim for damages to the vehicle resulting from an accident while it was being driven on official business should direct the claim to the insurer.

It is important to note that ACT Government does not provide insurance cover of any kind for you when you use a private vehicle for work related purposes.

HOME GARAGING OF OFFICIAL VEHICLES

Consent

PTG staff seeking to home garage a PTG vehicle in relation to official duties must first complete a form seeking consent and approval available from Office Services Unit. In completing the form, you are agreeing to the conditions for care of the vehicle while home garaged. This includes instructions about carrying non-ACT Public Service persons in vehicles.

The form may be found at -

<http://injacs/documentcentre/Forms%20and%20Templates/Governance/Home%20Garaging%20an%20Official%20Vehicle%20Form.docx>

Requests for home garaging may ONLY be approved:

- where benefits to PTG can be clearly demonstrated on the grounds of improved operational effectiveness and/or vehicle safety; or
- as part of approved employee conditions of service.

Operational effectiveness applies where the vehicle concerned is required for:

- approved essential services; or
- official business regularly performed out of hours.

Approval for home garaging on the grounds of vehicle safety applies where a vehicle cannot be securely garaged at the worksite or other secure facility.

PTG vehicles must be garaged in such a way as to minimise the risk of damage or loss, and in accordance with any other requirements of the Public Trustee and Guardian.

In this regard, home garaged vehicles must be parked behind the property line. They must NOT be parked in the street or on property verges overnight.

In approving home garaging for such purposes, actual frequency of use must be considered and a full description of the nature and need for home garaging documented.

Refer ACT Government non-Executive and Light Commercial Vehicle Management Policy at -

http://www.cmd.act.gov.au/__data/assets/pdf_file/0005/132098/non-exec_vehicle_guidelines_2010.pdf

END OF POLICY