

LONDON BOROUGH OF BROMLEY

REVISED ESSENTIAL USER CRITERIA – THE COUNCIL'S PROPOSALS

The NJC definition of an essential car user is anyone “whose duties are of such a nature that it is essential for them to have a motor car at their disposal whenever required”.

It is for Councils to determine locally how to interpret and apply this definition, and what the local criteria for an essential user should be. Local criteria may also be subject to change from time to time depending on local circumstances.

There are a number of factors which suggest that the Council's current criteria (attached at Appendix A) may no longer be fit for purpose; these include:

- a recent review of car parking which has shown that some staff are receiving the essential car user allowance, albeit other data shows that they may not be using their cars for work on a regular basis;
- the situation whereby some staff in key posts who do not meet the current criteria have been awarded an essential car user allowance on the basis of a recruitment and retention incentive, eg some social workers;
- a view that the criterion based on the minimum number of miles driven could encourage unnecessary travel and discourage more efficient options for service delivery;

Given the current financial constraints it is important to ensure that resources are used to maximum effect. The more expensive essential car user option should therefore normally only be used when other travel and/or service delivery options have been considered and discounted on sound economic/business grounds.

For this reason it is proposed to:

1. Revise the Council's criteria for the award of an essential car user allowance and apply it only to those employees where:

(a) driving a car/vehicle is an integral and regular feature of the job; and therefore

(b) having a current driving licence and use of their own car/vehicle are deemed to be essential and compulsory for the performance of the job

On this basis:

- an employee would be unable to continue in the job if they were to lose their driving licence or use of vehicle for any reason as no reasonable adjustments can be made which mean the job can be done another way; and
 - applicants without a driving licence and vehicle would not be considered for the job. This includes applicants who cannot drive because of disability, as it is deemed not possible to put reasonable adjustments in place to overcome this disadvantage.
2. Where those staff who have been awarded the essential user allowance as a recruitment and retention incentive do not qualify under the revised criteria in (1), the equivalent value of their current lump sum allowance will be redesignated as a “recruitment and retention allowance” in future, as long as the payment continues to be justifiable.

If, following consultation, the above criteria is agreed and adopted by the Council, then employees who are currently designated essential car users who no longer meet the new criteria will be given one month’s notice that the essential user allowance will be removed and replaced with the LBB agreed rate of casual car user allowance, with a right of appeal to the Assistant Chief Executive (HR).

Employees who do not meet the Council’s criteria for an essential car user allowance, but who use their car/vehicle on a different basis including irregular or ad hoc business journeys, will be entitled to claim a casual car user mileage allowance at the rate agreed by the Council.