

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 13 SEPTEMBER 2011

REPORT BY THE SECRETARY OF THE STAFF SIDE

DISTURBANCE ALLOWANCE SCHEME

WARD(S) AFFECTED: None

Purpose/Summary of Report

To raise issues of concern that have recently come to light in respect of the Disturbance Allowance Policy with a view to correcting anomalies.

<u>RECOMMENDATION FOR LOCAL JOINT PANEL:</u>	
(A)	Car drivers be paid 5p per mile for every passenger they take to or from the new contractual office base to encourage car sharing and in the interests of green travel and
(B)	The mileage rate payable under the Disturbance Allowance Scheme be calculated on the ‘quickest’ rather than ‘shortest’ route to and from the new contractual base.

1.0 Background

1.1 The Council’s Disturbance Allowance Policy was debated at the Local Joint Panel and the Human Resources Committee on the 13 July 2011. It was approved by the Human Resources Committee after it had been agreed that the scheme should be reviewed in six months time in order to benchmark it against other Councils’ policies. It is in the meantime in the process of being implemented with staff having recently been informed of the mileage rate and time allowance they will be permitted to claim.

2.0 Report

2.1 During the process of implementation there have been two issues that have come to light which the Staff side believe are too important to leave until the review in six months. These are a) the absence of a mileage rate payable for passengers and b) the method of calculation of the route to and from the new office base.

2.2 **Passenger Rate**

This omission has been raised by a number of staff who are either passengers or drivers of cars carrying passengers. The Council set up a group to look at green travel and there was a lot of discussion about giving employees incentives to double up on car journeys, saving both on fuel and carbon emissions. It would also save the Council a lot of money since they would be paying only one disturbance allowance instead of two or more. A passenger rate of 5p per mile which is the standard rate payable on normal travel claims would give drivers some incentive to take passengers and would bring this policy into line with that of normal travel expenses scheme.

2.3 **Calculation of Mileage Rate**

According to the policy this is calculated in the following way:

*“The difference between the two journeys will be calculated using a route map website, using the **shortest route**, and selecting an interactive map. The difference in mileage will be calculated by HR using this formula and communicated to employees on the claim form. Should employees not agree with the mileage calculated then they should inform HR at the earliest opportunity.”*

There was no discussion of this issue at the last LJP nor at the HR Committee. This was almost certainly because no one gave it much thought other than to endorse the sentiment it expressed which made perfect sense at the time. However, it is only when people were given their mileage rate, upon which the time allowance is also based that the full implications were realized.

Being a largely rural area, the shortest route in terms of miles in almost every case takes employees through villages and down narrow pot-holed country lanes. These are without exception the longest routes in terms of time taken and add anything from 10 minutes to 40 minutes per journey. They are in reality used by virtually no one. People are far more concerned with time than distance and invariably have pressing reasons why they need to get to and from work by a certain time. These will range from child care, to appointments, to phone rotas or to meetings, or to simply getting home to wind down after a hard day's work. How many

people in reality drive from Bishop's Stortford to Hertford via Much Hadham? The round trip is 34 miles along the A120 and A10 and 28 miles via Much Hadham. It takes 25 minutes along the main roads and 35 minutes via much Hadham (outside rush hour times).

Regardless of where people live, this example is replicated in every case. In reality very few people drive across country. Not only does it take longer, it can also be less safe. The main roads on the whole have better lighting and better road surfaces. Some country lanes are so narrow, cars need to pull over to pass each other and overtaking is particularly hazardous. From a health and safety perspective, main roads are safer.

- 2.4 The fact that the time allowance is based on the mileage rate is a double whammy for some. They lose out on mileage if they do anything but the shortest route and they can also lose out on the time allowance, which is based on mileage bands as shown below:

Excess Travel Allowance*	Allowances (1 st April 2009)					
	1 st Year		2 nd Year		3 rd Year	
	Annual	Daily	Annual	Daily	Annual	Daily
5-19 miles	£410	£1.58	£318	£1.22	£237	£0.91
20-29 miles	£658	£2.53	£582	£2.24	£499	£1.92
30-39 miles	£890	£3.42	£782	£3.01	£706	£2.76
40 miles and above	£1108	£4.26	£1025	£3.94	£948	£3.65

- 2.5 In every other instance of travel claim, mileage is based on actual mileage and not 'virtual' mileage. Why should disturbance be the exception to the rule? Council members and employees alike submit monthly travel expenses, based on the mileage they have travelled. Is it not right that the Council should ensure consistency in this respect?

3.0 Implications/Consultations

- 3.1.1 These issues have implications for all employees who have been relocated from Stortford to Hertford. These are in the main female employees and therefore the Council needs to be mindful of any potential indirect discrimination there could be, in deviating from the normal mileage calculation rate.

Financial Implications

Examples of the financial implications for individuals are shown in Appendix X. The post codes are typical post codes but do not belong to any individual. The cost to the Council of changing the

method of calculation would be minimal since most staff have opted not to drive to Hertford on a daily basis, with many working from home.

Background Papers

None

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