

Car Policy

Introduction

This document covers vehicles used by JNB employees, which includes.

Company Cars – where an employee is eligible for a car which is supplied either via the company's selected leasing company or vehicles provided to employees directly owned by the company.

Car Allowance - where employees are provided a cash equivalent by the company to provide their own vehicle for business use and claim business mileage.

Business Mileage – where an employee claims business mileage for a business journey in their own vehicle and is not entitled to a company car or car allowance (provided the vehicle and insurance levels comply with those set out in this policy).

It is a condition of employment to comply with the terms and conditions outlined in this policy. The Company reserves the right to withdraw entitlement to a car or payment of car allowance or business mileage if these terms are not complied with.

This policy does not cover the use of the Company's commercial vehicles (notably Small & Large Vans, 4 x 4 vehicles, Welfare Vans, Pick Ups, Tail Lifts and other comparable/specialist vehicles), which are covered under the Company's Van Policy.

The company wishes to encourage the highest possible standards of driving to ensure the health, welfare and safety of both drivers, passengers, and the general public at all times.

This policy should be read in conjunction with:

- The Health and Safety at Work Act 1974
- Workplace (Health, Safety and Welfare) Regulations 1992
- The Road Traffic Act 1991
- Management of Health and Safety at Work Regulations 1999
- Working Time (Amendment) Regulations 2003
- Health and Safety (First Aid) Regulations 1981
- Provision and Use of Work Equipment Regulations 1998

- Reporting of Injuries, Diseases, and Dangerous Occurrences Regulations 2013
- Road Vehicles (Construction and Use (Amendment) (No. 4) Regulations 2003
- Corporate Manslaughter and Corporate Homicide Act 2007
- Specific J N Bentley Policies and Procedures such as the policies covering Health and Safety, Smoking, Drugs and Alcohol.
- [Instructions – BMS 02-34 Company Cars and Car Allowance](#)
- Guidance Docs
 - [Guidance Note - Breakdown](#)
 - [Guidance Note - Damage to Company Vehicles](#)
 - [Guidance Note - Glass Repairs and Replacements](#)
 - [Guidance Note - Leased Vehicles](#)
 - [Guidance Note - Road Traffic Incident](#)
 - [Guidance Note - Servicing, MOT, Repairs & Maintenance](#)
 - [Guidance Note - Temporary Vehicle](#)
 - [Guidance Note - Tyres, Brakes & Bulbs](#)

Definitions

Company Car – A car the company provides an employee to drive for business purposes. This will be provided either directly by the company (Company Owned) or via the company's nominated leasing provider (Company Leased).

Car Allowance – Employees who receive a cash benefit from the company to provide their own vehicle to be used for business purposes.

Employee Recharge – A sum of money set by the company which is charged to an employee when it is deemed the Driver is 100% or partially at fault for an incident in a Company owned, leased or temporary car.

Business Mileage – Refers to the journey employees undertake in the course of their work using their own vehicle and subsequently claim a pence per mile payment from the company to cover the miles travelled, with the exception of their regular commute. Travel between your home and your regular, permanent place of employment is classified as a non-work journey, making it

ineligible to be included in business mileage claims.

Temporary Vehicle – A company car borrowed from an employee, a Pool Car provided by the company, or a Hire Car provided by the company that is used for business purposes only.

Public Transport – Buses, trains, taxis and other forms of transport that are available to the public.

Road Traffic Incident - Road traffic incident (RTI) and offence cover all aspects but not limited to, the list below:

- Collision with another vehicle, regardless of who is at fault
- Collision with a fixed object
- Speeding
- Driving in prohibited places e.g., bus lanes, cycle lanes
- Not wearing a seatbelt
- Ignoring a red traffic light / stop sign
- Driving without due care and attention (e.g., ignoring no overtaking signs, using a mobile phone whilst driving, eating/drinking whilst driving)
- Any other Road Traffic Convictions

Aims

This policy aims to achieve the following:

- To ensure all employees are aware of their responsibilities under the car policy.
- To ensure only authorised individuals can drive company vehicles.
- To ensure all employees at J N Bentley Ltd support this policy and the Health and Safety issues contained within it.
- Define the company policy regarding RTI's, damage to vehicles and driving offences including trigger levels for informal and formal intervention and possible outcomes
- Promote positive driving behaviour and to outline the proactive steps the company takes to tackle poor driving behaviour and to reduce the likelihood of RTI's and driving offences
- To reduce the risk that can occur to people and property from the use of motor vehicles.

The Company's Responsibilities

The company's responsibilities are.

- To communicate the company car policy

- To inform employees of the procedure they must follow when reporting an RTI, offence or damage to their vehicle
- To ensure a safe and healthy working environment in accordance with the Company's Health and Safety Policy

Line Manager Responsibilities

Line managers are responsible for:

- Ensuring their teams comply with this policy
- Ensuring employees follow the reporting procedure
- Ensuring discussions take place when necessary and records are sent to HR

Standards expected by the Company

All employees are expected to drive in a safe manner in line with the Highway Code and legal requirements. Employees are also expected to take good care of the company vehicle issued to them e.g., regularly clean the car inside and out, carry out checks on tyres, oil etc. and inspect the car for wear and tear type damage.

Employees are expected to comply with company procedures regarding the reporting of RTIs and damage as well as informing the company promptly if they have received points on their licence e.g., for speeding, or fines e.g., for a bus lane contravention.

Failure to comply with the requirements of this policy may result in disciplinary action in accordance with the Company's Disciplinary Procedure.

Review

This policy will be reviewed by the Plant Department annually and approved by a Director. It will be developed in line with actual issues and legal updates.

Grievances

Concerns over how issues under this policy are managed can be raised through the Company's Grievance Procedure.

Use of all vehicles for Business Use

When an individual is required to drive for business purposes, it is the Company's responsibility to ensure that the individual is suitable to drive regardless of whether they are driving a Company vehicle or their own vehicle. To be authorised to drive for business purposes individuals must be issued with a valid Driving Permit by the Plant Department. In addition, for individuals who also have access to a company

vehicle for private use, if they opt to nominate a driver such as a spouse etc to have use of the vehicle for private use then they also need to obtain a driving permit from the Plant Department (for more information, refer to [Instructions – BMS 02-34 Company Cars and Car Allowance](#)).

The issuance of a driving permit is the Company's acceptance that an individual, at the time of issue, is authorised to drive for business purposes (and in the case of employees who are issued a company owned or lease vehicle as a benefit in kind are authorised to drive for private use also). To do so, the individual must apply for a Driving Permit, please see [Guidance – BMS 02-34 Driving Permit](#)).

Any person who does NOT have permission from the Company (i.e., a valid driving permit) will not be permitted to drive Company Cars or Temporary Vehicles or use their own vehicle for business purposes (except in emergency situations) without the written authority of a director. Failure to comply with this requirement will result in driving with no insurance cover in the case of Company or Temporary vehicles.

You may carry passengers in vehicles only to the extent of the normal seating capacity of the vehicle. Under no circumstances should Company or Temporary vehicles be used for hire or reward, whether monetary or otherwise. Company or Temporary vehicles must not be used for driving tuition of any description, nor may they be driven by provisional licence holders. Company or Temporary vehicles must not be used for any form of motorsport.

Existing Employees

Where the car is leased it must be retained for the duration of the lease and cannot be changed following promotion or demotion. If a new grade applies, employees will be able to choose a car up to the new level at the time their existing vehicle is due for replacement. Renewals and replacement vehicles will be managed and provided by JN Bentley.

Should an employee change role their eligibility for a car benefit will be reviewed accordingly, which may involve it being removed. Employees who move to a part time role may have to return their vehicle and instead receive a prorated car allowance.

The Company reserves the right, at any time, to revoke an employee's Driving Permit.

Driving Standards

Generally, due to our duty of care and insurance restrictions, additional provisions or assessments may have to be made on an individual basis for

drivers that fall into the high-risk categories outlined below:

- Drivers under 21
- Drivers that have recently passed their test within the last 2 years
- Drivers that do more than 30,000 business miles per annum
- Driver that has accrued 6+ points in the last 12 months
- Drivers who have 9 points or more on their licence (any conviction)
- Drivers returning from endorsements who have been banned from driving & have unspent convictions.

Any unspent convictions will be referred to insurers and may result in an increase to the standard £1,000 Policy excess for the Employee to be covered by the Policy. Where this is applied the driver will be consulted, and should the driver still wish to drive for the company the 'additional' excess will be the responsibility of the driver if involved in an incident deemed by insurers to be 100% driver fault or partially driver fault.

Where a driver has previous driving history identifying them as high-risk, the company reserves the right to install Telematics into the individual's Company Car to monitor driver behaviour.

It is the company's responsibility to ensure an individual is suitable for their driving responsibilities. Should the employee's level of driving standards or skill be judged to be below the acceptable level by a trained employee or an independent assessor the company reserve the right to withdraw permission to drive until sufficient training is completed and the driver is re-assessed to an acceptable level. Continued concern over an employee's ability to drive safely may result in the withdrawal of the permit to drive.

Where risks are identified from the above assessments, control measures will be put in place to minimise these risks. These control measures may include:

- Occupational Health and general fitness checks
- Vehicle Review
- Advanced Driving/ Defensive Driver Training
- Review of previous assessments and implementation of further driving at work assessments.

Where a risk has been identified specifically relating to poor driving standards further Driver Training will be a minimum requirement.

Vehicles Requirements

For employees who use their own vehicle for business purpose (including those in receipt of car allowance or who claim business mileage), they must ensure their vehicle complies with the criteria set out below:

- Vehicle age must not exceed 120 months (10 years) or 150,000 miles at any point in the year.
- Must have a Euro CAP 4* (or above) rating at the year of manufacture (this can be checked at <https://www.euroncap.com/en>)
- Must be fitted with either Antilock Braking System (ABS), Electronic Stability Control (ESC), or Autonomous Emergency Braking System (AEB);
- Proof of servicing, MOT and maintenance conducted in the previous year.
- Proof of comprehensive insurance for business use.
- Proof of Road Tax.
- Vehicles must be able to seat 4 adults.
- Before setting off on a journey, employees should conduct pre-use checks to ensure that.
- Tyres are properly inflated and undamaged
- Lights and indicators are working
- There is no visible damage to the vehicle body or windows
- Washers and Wipers are working
- Mirrors are correctly positioned
- Brakes are working
- All occupants are using their seatbelts and head restraints are adjusted correctly
- Any loads are securely restrained in line with manufacturer's instructions for their respective vehicle * Please note that the company does not require employees to carry heavy or hazardous items for work.

Any deviation from the criteria set needs to be approved by a Director.

Company Cars

All cars are to be retained for at least 4-years and the Business may review this based on the vehicle's mileage during this period. For example, if a car reaches or exceeds 80,000 miles within this period the employee may be invited to renew sooner than 4 years, whereas employees whose car remains under the 80,000 mile threshold at the point it is 4 years old they may be required to run the car for longer (at the Plant Department's discretion).

If a new grade applies, employees will be able to choose a car up to the new level at the time their existing vehicle is due for replacement.

Should an employee change role their eligibility for a car benefit will be reviewed accordingly, which may involve it being removed. Employees who move to a part time role may have to return their vehicle and instead receive a prorated car allowance.

Those employees who are in receipt of a car allowance or who claim business mileage are required to ensure that the details of their vehicle, maintenance history and insurance records are kept up to date on Bentley Self Service function on the Xpedeon Employee Portal.

Failure to provide or update these details may result in an employee's car allowance or business mileage claim being withheld and the Company Disciplinary Procedure being invoked.

Licence Endorsement and Suspension

You must report any event (e.g., endorsements or convictions) which could invalidate your driving licence to the Plant Department. All endorsements should be reported for insurance purposes.

The Plant Department will refer any Bans or endorsements above 3 points to the Insurance Company which may result in a Driving Permit being declined or revoked depending on the advice received.

Changes in Circumstances

If a driver's licence is revoked, permission to drive will be withdrawn immediately.

Permission to drive may be reviewed once the licence becomes valid again, subject to any insurance or duty of care restrictions that may apply.

If a driver has a change in medication or medical circumstances and/ or upon a doctor's note is no longer eligible to drive, they must inform their Line Manager, HR, and the Plant department immediately.

Monitoring

A record of RTIs, offences and vehicle damage will be maintained for employees driving Company Cars. The record will include dates incidents happened, details of the incident itself, root cause and post incident review records.

Where occurrences exceed laid down trigger levels, an action plan will be set which may include driver training or the fitment of Telematics within the individual's Company Car. The trigger levels are:

- Two separate driving offences/incidents within a rolling 12-month period will result in an informal, minuted conversation.
- Four separate driving offences/incidents within a rolling 12-month period will be dealt with in accordance with the company disciplinary policy.
- Where a driver has previous driving history identifying them as high-risk

* Individual incidents due to their severity may be dealt with immediately in line with the company's disciplinary policy.

This information may also be used to identify drivers that require additional training to help improve their driving behaviours including but not limited to aggressive acceleration, speeding, tight turning or excessive braking.

Any resulting disciplinary action will be carried out in line with the Company Disciplinary Procedure.

Drugs and Alcohol

This section should be read in conjunction with the J N Bentley Ltd Drugs and Alcohol Policy.

Drivers must inform the Company of any medical condition which occurs during his/her employment with the Company, and which might affect their driving ability.

Drivers are also reminded that it is an offence, under The Road Traffic Act, for vehicles to be driven whilst under the influence of certain types of drugs. If you are being prescribed drugs for any medical condition, it is important to make the situation clear to any doctor who is treating you that you drive for business purposes.

If driving is not recommended while taking medication, e.g., where a side effect may be drowsiness as in the case of certain antihistamines, then you must take appropriate action e.g., not driving, or changing your medication. It is an offence to drive while unfit through alcohol or drugs (both prescriptive and illegal).

In addition, the drug-driving law gives police officers the right to request drug tests at the roadside. The new offence is of driving with certain controlled drugs in the body, including some prescription drugs, above specified limits. Employees and drivers should adhere to the current legislation and be aware of the levels of limits for prescriptive drugs.

The company will make every effort to find alternative duties within the Company for drivers who are temporarily rendered unfit to drive because of prescribed medication but who are still able to undertake other duties.

Smoke-Free Company Vehicles

Smoking (including the use of electronic cigarettes or vaping devices etc) is not permitted at any time in any company car, or temporary vehicle provided by the company or when being used for business purposes any personal vehicles.

Technology including Mobile Phone Use & Hand-Held devices

Technology and Mobile Phones, including hands free, are not to be used for any purpose whilst driving for business.

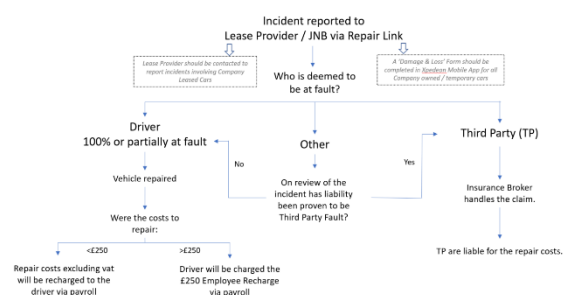
To be clear this means Drivers must not use the device to receive any calls, take or view pictures, read text messages or access the internet whilst driving for business.

Only in exceptional circumstances may a driver use a phone to call 999 or 112 in response to a genuine emergency when it is unsafe or impractical to stop.

Damage to Company Vehicles

You should report all damage to company vehicles regardless of how minor the damage is.

It is your duty to regularly check the car allocated to you for damage that may have occurred and to be vigilant to damage that could have been caused whilst a vehicle is not in use. All damage should be brought to the attention Plant Department by completing a Damage & Loss Form in the Xpedeon Mobile App as soon as possible.



The Company have the right to apply an employee recharge for damage or loss of items related to Company owned, leased or Temporary Vehicles.

Employees will be charged, through payroll, the lower of either; the cost of the damage / lost item(s) or a £250 employee recharge.

Type of Liability	Business Travel	Personal Travel
Driver fault	Up to £250	Up to £250

Type of Liability	Business Travel	Personal Travel
Third Party fault	Passed to TP	Passed to TP
Other Fault	Up to £250	Up to £250

For incidents referred to the Company's Insurance Provider, it will be the Insurer who determines liability. An employee recharge may or may not apply dependent on who our insurers determine to be liable. Their decision will be final.

Driver Fault:	Where the driver is liable (i.e., determined by the company's insurer to be 100% liable) for damage to a Company & / or Third-Party vehicle or property the employee excess will apply. If the Insurer deems a 50/50 split in liability, the full employee recharge will still apply (i.e., the recharge will not be reduced to £125, the full £250 will still apply). Please note recharge payment costs cannot be claimed through expenses or recharged to J N Bentley or a Client. Failure to adhere to the policy may result in disciplinary action.
Third Party Fault:	Where the Company's Insurer deems the Third Party to be 100% liable for damage to a Company & / or 3rd Party vehicle / property. No employee recharge will apply. <i>A 'Third Party' is the term used to identify the person you (i.e., first party) use an Insurer (i.e., second party) to protect yourself against the claims of another (i.e., third party).</i>
Other Fault:	In all other circumstances, where any damage to a Company & / or Third-Party Vehicle or property occurs, the driver is liable to pay the employee excess. However, if the driver can prove that a Third Party is 100% liable for the damage, then charges will be treated as specified under 'Third Party Fault'.

Drivers with an increased Policy excess (over and above the standard Policy excess) which is linked to 'previous driving history' will be liable to pay the increased excess amount should they be deemed 100% at fault or partially at fault for an incident by insurers in the event of claim. This charge is in addition to any employee recharge applied to the employee as detailed above.

Where an Incident is not referred to Insurers (i.e. because no third party has been involved, repairs are below the company's insurance excess value (currently £1000) or the Plant Department decide not to refer for any other reason), liability will be determined as 'Driver Fault' or 'Other Fault' (unless the driver can provide evidence this is not the case i.e. a third party admits liability or CCTV footage provides evidence to suggest the incident was not 'Driver Fault'). Incidents involving animals such as vehicles being damaged by cattle, deer, pheasant etc. will be determined as driver fault.

Routine service & maintenance requirements including tyre repairs / replacements, windscreen

repairs / replacements caused by stone chippings will not be recharged to employees unless the company has any evidence to suggest the damage has been caused by employee misuse or neglect.

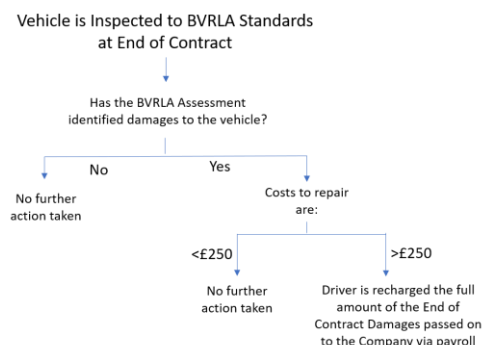
All incidents involving Company leased vehicles must be reported to the lease provider [Guidance Note – Leased Vehicles](#)) All incidents involving company owned vehicles must be reported to the Plant Department ([Guidance Note – Road Traffic Incident](#)) All incidents involving a Temporary vehicle must be reported to the Plant Department ([Guidance Note – Temporary Vehicle](#)). All resulting damage from incidents involving vehicles provided under car allowance or business mileage need to be dealt with by employees themselves (but should still report the incident to the Plant Department if this occurred whilst the vehicle was being used for business use). Employees are responsible for ensuring all defects are dealt with immediately.

Employees that are issued a Pool Car (i.e., a car previously allocated to another driver) are responsible for checking the condition of and highlighting any existing damages or issues at the point of issue to the Plant Department to avoid these damages being carried over and becoming your responsibility.

The Plant Department may carry out periodic audits and can request to see all vehicles used for business use at any time to check for wear and tear, compliance with the car policy or to ensure maintenance standards are being maintained; this may result in further action or excess provisions applied as outlined above if unreported damage is found or the vehicle is not in the condition expected or doesn't comply with the car policy.

Handover or End of Term

When a vehicle is returned at either the end of a contract or when the vehicle is returned to the Plant Department, it should be returned in a condition considered acceptable as per the BVRLA guidelines (British Vehicle Rental & Leasing Association - available at www.zenith.co.uk/bvrla) which allows for fair wear and tear.



At the end of the vehicle contract, or when the vehicle is returned to the Plant Department, the vehicle will be collected, and a preliminary vehicle inspection completed at the point of handover. This is not a full and final inspection, but an opportunity for all items such as keys and logbooks to be handed over. If a collection agent is used, they will note any obvious damage; however, they are not employed or trained to undertake a full BVRLA inspection and are not able to comment on likely vehicle damage charges.

The vehicle will then be returned to the lease provider's de-fleet centre, or an agent nominated by the company where a second full assessment will be carried out by an agent trained to the required standard. All damage areas recorded during the second inspection will be assessed against BVRLA guidelines appropriate to the classification of vehicle. Images of any documented damage will be taken.

Company Owned Vehicles will undergo a BVRLA Assessment at a location agreed by the Plant Department either internally or by a nominated third party.

Please note recharge payment costs cannot be claimed through expenses or recharged to J N Bentley or a Client. Failure to adhere to the policy may result in disciplinary action.