

Fleet Motor Vehicle and Driving for Work Policy

Purpose of this policy

The Department of Planning and Environment's (the 'Department') motor vehicle fleet is a major asset requiring active management to ensure it is appropriately sized, contains the correct mix of vehicles to meet transport needs, minimises environmental impact, maximises cost effectiveness, maximises safe driving behaviours and meets other whole of government and legislative requirements.

This Fleet Motor Vehicle Policy sets out how the Department's fleet is managed and how its vehicles may be used. It supports the Department's Code of Ethics and Conduct in relation to the appropriate use of agency resources, the NSW Government Travel and Transport Policy and the NSW Government Motor Vehicle Operational Guidelines. Fleet vehicles are recognised as a workplace, and all Work, Health and Safety (WHS) legislation associated with workplaces also applies to them.

To whom this policy applies

This policy applies to all employees and contractors of the Department as well as employees and contractors of all Cluster entities that have people employed in or through the Department ('Employees').

It applies to Employees operating or managing vehicles in the Department's fleet, including shared pool (passenger and light commercial), custodian, operational, salary packaged, specialised and heavy commercial vehicles. It does not however apply to Employees in relation to novated lease vehicles as these vehicles are not part of the fleet.

The policy also describes when an Employee may use a private motor vehicle for work purposes.

Policy statement

Appropriate use of a fleet vehicle

Using a fleet vehicle is appropriate for performing official duties if:

- technology (such as video conferencing) cannot meet the work need
- a specialised vehicle is required for work-related purposes (for example, to carry specific equipment, a government branded vehicle and others)
- public transport options are limited
- driving is more cost and time-effective than flying or other transport options.

Fleet vehicles may only be used for Departmental purposes

An Employee may be required to drive a fleet vehicle to perform their duties. Fleet vehicles are to be used for official business purposes only, which is defined as an activity undertaken by an Employee

in the performance of their duties and related to the operations of the Department. Employees cannot use fleet vehicles for private, non-work-related purposes.

However, under Australian Tax Office (ATO) fringe benefits tax (FBT) rules, there may be work-related 'private use'. The ATO considers travel between an Employee's workplace and home for secure garaging on a regular basis as 'private use'. Employees will record this as private use when entering a trip purpose in telematics or on a vehicle log sheet.

Who may travel in a fleet vehicle is limited

With the exception of salary packaged vehicles, only Employees of the Department, other NSW Government entities or people with a direct involvement with the Department's business are permitted to travel in a fleet vehicle.

Where an Award allows for family members to travel in a Department vehicle, prior approval must be given by the Employee's Business Unit Director.

You must hold a driver licence to operate a fleet vehicle

Any Employee needing to drive a fleet vehicle must hold a full or provisional driver licence valid for the class of vehicle being driven. Driving a fleet vehicle without a current and valid driver licence may result in disciplinary action.

An international driver licence is permitted if the licence is valid to drive in NSW.

Employees with a learner driver licence may drive heavy commercial vehicles when undertaking relevant driver training as long as they are accompanied by a person with the appropriate licence to drive the vehicle.

Where a Senior Executive has a salary packaged vehicle and agrees, a member of their family holding a learner driver licence may drive that vehicle in accordance with the requirements of their learner driver licence.

Driver's responsibility and safety

Fleet vehicles are recognised as a workplace, and all Work, Health and Safety (WHS) legislation associated with workplaces applies to them. All drivers must also comply with the applicable road rules.

Managing fatigue: If driving long distances to a work location and working a full day, Employees are encouraged to stay overnight. More information on managing the risk of fatigue is available on the Department's Fleet Vehicle intranet page.

Maintaining a safe vehicle: Ensure the vehicle is kept in a clean, safe and acceptable condition.

Smoking: Smoking is not permitted at any time within a fleet vehicle.

Traffic infringements: The driver of the fleet vehicle at the time of the offence is responsible for any traffic infringements incurred. If the vehicle's telematics system identifies potentially unsafe behaviours, the driver may face disciplinary action.

Mobile phones: Employees driving fleet vehicles are prohibited from holding and using mobile telephones while driving. Employees can make or receive audio phone calls only if the phone is secured in a cradle fixed to the vehicle and can be operated without touching any part of the phone.

Alcohol, drugs and reporting driving offences

Employees must adhere to the Department's Code of Ethics and Conduct. Employees must not drive a fleet vehicle if under the influence of alcohol or drugs (prescription or non-prescription) that may impair the driver.

If driving is a requirement of an Employee's role, but their driver's licence has been suspended or cancelled, the Employee must notify their Deputy Secretary. If a criminal offence has been committed by an Employee, which is punishable by imprisonment for 12 months or more, then they will also be required to notify the Secretary under the Department's Code of Ethics and Conduct.

Senior Executive salary packaged and novated lease vehicles

The Department is seeking to limit the size of the fleet for efficiency reasons. As such, unless specifically approved by the Secretary (or relevant Head of Agency), the Department will only salary package a vehicle to Senior Executives (SEs) who already have a salary packaged vehicle under an existing lease through the current NSW Government leasing arrangement and would like to replace it.

The Department will not salary package a 100% private use vehicle through the current government leasing arrangement. SEs who require a 100% private vehicle must arrange a vehicle via a novated lease. Any SE with an existing novated lease vehicle will not be eligible to salary package another vehicle through the Department.

Accidents and vehicle damage require prompt reporting

If an Employee is involved in a fleet vehicle accident, they must comply with NSW road safety rules and inform NSW Police where required.

In addition, Employees must report all accidents resulting in vehicle damage to the driver's manager and the Department's Fleet Operations team within 5 Business Days. In the case of an incident involving a fleet vehicle, Employees should log it via their Work, Health & Safety Incident Management System.

Fleet Operations will provide an insurance claim form to the Employee, which must be completed accurately, fully and promptly. Claim forms not received within 12 months of the incident will not be approved by the insurance company and the cost of repair will be borne by the business unit.

Where unfair wear and tear is identified by the Lessor when the vehicle is returned for sale, the cost to repair will be charged to the relevant business unit if no claim form was properly lodged.

Cost recovery and charging

Fleet Operations will charge business units:

- a cents per kilometre rate for use of pool (the passenger and light commercial) vehicles in the fleet, based on the type of vehicle; and

- full operating costs for custodian, operational and special purpose vehicles not deemed to be pool vehicles, rather are vehicles only used by a particular Business Unit.

In situations where a pool vehicle is booked for a long period of time and not used, Fleet Operations reserve the right to charge the business unit for this booking or to cancel the booking.

Telematics in vehicles, and those without telematics

In accordance with the NSW Government Fleet Telematics Policy all new fleet vehicles will be fitted with a vehicle telematics system. The telematics system includes an ATO compliant electronic log-sheet, vehicle monitoring, driver management and risk reduction safety devices.

Fleet Operations will work with business units to develop a telematics implementation strategy for any of their vehicles not yet fitted with telematics.

For more information on telematics refer to Appendix 2 of the NSW Government Travel and Transport Policy and the Vehicle Telematics Procedure & Guidelines document on the Fleet Vehicle intranet page.

For vehicles not yet fitted with telematics, drivers will complete an official running sheet for each trip, ensuring trip details are completed correctly and a cost centre provided.

Vehicle garaging and security

For insurance and security purposes, all fleet vehicles must be garaged at the Department's premises. The following exceptions apply:

- Employees may take a vehicle home during the first and/or final leg of an official business trip where it is more efficient to do so. Employees should obtain approval from their manager prior to garaging a vehicle at home for this purpose.
- Employees that are 'on-call' may garage a vehicle at home provided they have prior approval from their manager. When not 'on-call' all vehicles must be garaged at the Department's premises.

If there is a lack of departmental on-site secure parking, off-site garaging may occur with the approval of the Employee's Business Unit Executive Director or equivalent. The Employee must:

- make themselves aware of any personal FBT implications;
- return the vehicle to the pool or assign it to another Employee during leave periods; and
- park in a secure location at the off-site address and not park on the street.

Unless advised otherwise, car parking spaces at Department sites are only available to fleet vehicles and as designated accessible spaces.

Fleet vehicles for on-call Employees

For Employees considered to be 'on-call' outside their normal business hours, a vehicle may be made available for use.

Using private vehicles for work purposes

To ensure efficient use of resources, Employees should always prioritise using a fleet vehicle over a private vehicle for work purposes. If a fleet vehicle is not available, Employees may drive their own private vehicle where the vehicle is in a roadworthy condition, has current NSW registration and is comprehensively insured. Employees must obtain approval from their manager prior to using a private vehicle for work purposes and provide proof of registration and comprehensive insurance.

Employees may claim a cents per kilometre rate when using their private vehicle for work purposes, further details are found in C2021-03 Meal, Travelling and Other Allowances for 2020-21. Employees must not use their departmental purchase card to pay for the costs of running their private vehicle.

If a private vehicle is damaged while being used by an Employee for work purposes, the Employee must claim the damage under their own vehicle insurance. Private vehicles are not covered by the Department's motor vehicle insurance policy. Employees are responsible for contacting their own insurance provider to determine whether they have the necessary coverage to drive their private vehicle for business related purposes.

Procurement and disposal of vehicles

Any requests for additional vehicles to the fleet must be approved by the Secretary (or relevant Head of Agency).

Where the Secretary (or relevant Head of Agency) has approved an additional vehicle to the fleet or where a replacement vehicle has been approved by the delegated officer within the Business Unit, the Senior Manager Fleet Operations will then arrange for the purchase of the vehicle.

Replacement vehicles will only be purchased after determining there is an ongoing need by assessing vehicle availability and use, suitability of the requested vehicle and confirmed Business Unit funding. This includes replacement vehicles, vehicle accessories and choice of vehicle.

Fleet Operations also considers the acquisition of alternative fuel vehicles (such as electric vehicles) for the Department's fleet. These decisions are based on fit-for-purpose vehicles, appropriate infrastructure at the location where the vehicle will be garaged, any whole of government electric vehicle initiatives and in consultation with the relevant Business Unit for particular requirements.

Fleet vehicles may be disposed of by Fleet Operations only, who will use the NSW Government contracted auction facility.

Fleet Operations will manage the purchase of pool vehicles. They will also consider the acquisition of alternative fuel vehicles.

Fuel and oil supplies

Each fleet vehicle has at least two fuel cards to purchase standard fuel and lubricants for that vehicle. Fuel cards must always be kept secure. Car wash may be added as an option on the card if requested and considered appropriate. Requests to include premium fuels on a fuel card will be considered on a case by case basis considering the manufacturer's specifications.

Fuel or oil purchases for plant and equipment, such as tractors and boats, should be paid via a purchase card and not the fuel card assigned to a fleet vehicle.

First aid kit and fire extinguisher arrangements

The Business Unit where the fleet vehicle is located is responsible for the supply and upkeep of first aid kits in vehicles at their expense.

Fire extinguishers are not mandatory in fleet vehicles and their installation is at the discretion of the Business Unit.

The Business Unit is responsible for the supply and upkeep of fire extinguishers in vehicles at their expense. The fire extinguisher must be securely mounted and fitted by an authorised business. Drivers must familiarise themselves with the operation of the extinguisher.

Logos are generally required on fleet vehicles

With limited exceptions, approved Department logos will be affixed to fleet vehicles, in a clearly visible position on each side of the vehicle in a position to be determined by Fleet Operations.

Exceptions may be made for operational vehicles requiring specific branding or where a vehicle is used for covert operations or where staff are engaged in field operations where vehicle branding could endanger them.

Vehicle logos will also not be affixed to Senior Executive salary packaged vehicles.

Full wrap logos that cover most of a vehicle can be affixed, provided proposed designs are endorsed by the relevant Business Unit's Executive Director and comply with the Department's Brand Guidelines. The cost of full wrap logos, and associated approval processes, will be borne by the Business Unit.

Failure to comply with this policy

Ethical and behavioural standards that Employees are expected to demonstrate while working with the Department are set out in the Code of Ethics and Conduct. If Employees fail to meet those standards, corrective action may be taken in accordance with the Code of Ethics and Conduct. Corrective action taken may include (but not limited to) training to be undertaken by the staff member.

Individuals who are not government sector Employees such as volunteers, contingent or labour hire workers, professional services contractors and consultants may have their services, contract or agreement terminated immediately, or legal action could be taken if they are found to have violated this policy.

The Senior Manager Fleet Operations manages the reporting of relevant vehicle telematics information that may suggest an Employee has not complied with this policy. The telematics information will be sent to the Employee's manager. The Senior Manager Fleet Operations can also be advised of suspected breaches of this policy, which will also be reported to the relevant Senior Executive for investigation and action.

Review timeframe

Fleet Operations will review this policy no later than three years from the date the document is approved. The document may be reviewed earlier in response to post-implementation feedback, changes to legislation, or as necessary.

Related documents

Other policy documents that should be read in conjunction with this policy:

- NSW Government Travel & Transport Policy
- NSW Government Fleet Telematics Policy
- Code of Ethics and Conduct
- Work Health and Safety Policy
- Work Health and Safety Accountability Statement

Legislation underpinning this policy:

- *Work Health and Safety Act 2011* (NSW)
- *Road Transport Act 2013* (NSW)
- *Crimes Act 1900* (NSW), Section 52A: Dangerous Driving
- *Parking Space Levy Act 1992* (NSW)
- *Workplace Surveillance Act 2005* (NSW)
- *Road Rules 2014*, and equivalent rules in any jurisdiction in which a Department fleet vehicle is being driven

Other related documents

- NSW Electric and Hybrid Vehicle Plan
- NSW Government Motor Vehicle Operational Guidelines
- DPIE Vehicle Telematics Procedure

Policy metadata

Table 1. Policy metadata

Category	Description
Status	Active
Date of approval	9 December 2022
Approver	Deputy Secretary Corporate Services
Group	Corporate Services
Division	Property, Procurement, Safety and Wellbeing
Policy owner	Senior Manager Fleet Operations
Branch	Fleet Operations
Document location	DPE Intranet and/or Internet
Next review date	December 2025
Associated procedure	Vehicle Telematics Procedure
Superseded document	Department of Industry 'Motor Vehicle Fleet Usage' Policy IND-P-180 issued in 2015 Office of Environment and Heritage 'Driving and Vehicle Safety Policy and Procedures' issued 20 March 2015
Further information	ed.ppsw@dpie.nsw.gov.au
Document Reference	INT22/108468

Version control

Table 2. Version Control

Version	Date issued	Change
1	Feb 2023	New policy

Appendix 1 – Definitions

Table 3 - Definitions

Terms	Definitions
Award	An industrial relations instrument that sets out the minimum terms and conditions of employment for a particular group of employees.
Business Unit	For the purposes of this policy, ‘business unit’ means a functional area of the Department that is headed by a Group Deputy Secretary or Coordinator General, or is the Office of the Secretary.
Custodian vehicle	A vehicle that is assigned to a specific role within the department and is not available to be booked by other staff within the organisation.
Employee	<p>Any individual employed, appointed, or otherwise attached to the Department, whether on an ongoing, temporary, contractor, casual, or voluntary basis. This includes all senior executives of the Department, secondees from other agencies and may include contractors and employees of any firm or company contracted to perform work on behalf of the Department.</p> <p>Employee also includes those employed by the Department who provide services to other entities.</p>
Head of Agency	<p>Consistent with the Government Sector Employment Act 2013 (‘GSE Act’), a Head of Agency is defined for the purpose of this policy framework as:</p> <ul style="list-style-type: none"> • In the case of the Department – the Secretary of the Department. • In any other case – the Head of Agency listed in Part 2 or Part 3 of Schedule 1 of the GSE Act 2013, such as Chief Executive, Commissioner or Chairperson. • In practice, this represents the key person responsible for directing the affairs of the agency.
Lessor	The lessor is the ‘owner’ of the vehicle, the Department leases the motor vehicle from the lessor.
Novated Lease	A novated lease is a financial arrangement between an employee and a third-party financing company to salary package a vehicle. Novated lease vehicles are registered in the name of the individual and not in the name of the Department.
Pool vehicle	A vehicle that is not assigned to a specific role and can be booked for official business use by approved department staff or staff authorised to drive department vehicles under the terms of this Policy.
Salary packaged vehicle	A vehicle that is assigned to a Senior Executive officer and is paid as a business/private split as part of a salary packaged arrangement.

Appendix 2 - Roles and responsibilities

Table 4 roles and responsibilities

Roles	Responsibilities
<p>Secretary – Department of Planning & Environment or Head of Agency</p>	<ul style="list-style-type: none"> • Approve any increase to overall number of fleet vehicles within the cluster. • Approve any new salary packaged vehicles where the Senior Executive has not previously held a salary packaged vehicle. • Approve a vehicle acquisition request for a vehicle that is not on the NSW Government Contract ‘Approved Vehicle List’.
<p>Deputy Secretary, Corporate Services</p>	<ul style="list-style-type: none"> • Approve any change to the fleet management provider/s for the Cluster. • Approve, following consultation by Fleet Operations, the c/km rate applicable to identified vehicles within the fleet.
<p>Executive Director (or equivalent) within the business unit</p>	<ul style="list-style-type: none"> • Approve any full wrap vehicle branding to department vehicles. • Approve any off-site garaging of vehicles where there is insufficient secure parking at Department sites.
<p>Director (or equivalent) within the Business Unit</p>	<ul style="list-style-type: none"> • Approve the transport of family members where an Employee’s Award allows for this arrangement.
<p>Senior Manager, Fleet Operations</p>	<ul style="list-style-type: none"> • Provide advice to the Cluster to ensure a vehicle asset is used in accordance with this Policy. • Approve all vehicle quotes prior to an order being raised. • Address inappropriate driver behaviour identified through vehicle telematics or any other reporting channels by providing to the Employee’s Senior Executive manager. • Manage the utilisation of the vehicle fleet. • Identify the most suitable replacement vehicles to ensure fit for purpose vehicles are available for staff to use. • Manage the introduction of vehicle telematics into the vehicle fleet. • Identify suitable vehicle booking system for the fleet.

Roles	Responsibilities
<p>Employees</p>	<ul style="list-style-type: none"> • Assess vehicle roadworthiness prior to travel and advise relevant staff of any issues that may prevent them completing their travel. • Comply with applicable road rules and all Work, Health and Safety legislation associated with workplaces. • Report any damage sustained during a trip to the relevant staff member. • Ensure they have a valid license to drive the category of vehicle requested and assigned. • Maintain vehicle in a basic standard of cleanliness with all rubbish removed at the conclusion of the trip. • Pay, using their own money, any infringements they incur while driving department vehicles. • Immediately advise the Secretary if they have been charged with, or convicted of, any offence punishable by imprisonment for 12 months or more, even if the offence was committed in their private capacity, as per the Department’s Code of Ethics and Conduct. • Immediately advise the Employee’s Deputy Secretary if their driver licence has been suspended or cancelled and driving is a requirement of their employment. • Record any travel undertaken between the workplace and home of a fleet vehicle for secure garaging at home as ‘private use’. • Address any non-compliance of this Policy by any Employee they manage.