

Factsheet 17: Transport considerations

This Factsheet covers some points relevant to transport; particularly car insurance and mileage, which could be relevant to any employer whose P.A. will be using a car in the course of their duties as a P.A.

Car Insurance

If the P.A. uses their own vehicle in the course of their employment duties (e.g. driving you to an appointment or running an errand on your behalf), the P.A. **must** have Class 1 Business Use explicitly stated on their Car Insurance Policy. You should always ask for the policy document and check that this is included. Failure to confirm that appropriate insurance cover exists is a risk that's not worth taking. It is the responsibility of the P.A. to check and arrange this if not already included, and also normally to pay any additional premium that's requested by their car insurance company.

Many car insurance companies already contain Class 1 business use within their standard policy whereas others may charge extra. The cost of this additional cover can vary from £25 up to around £100 per year, which is likely to be prohibitive for the P.A. In these circumstances it is recommended that the P.A. informs their current insurer that they intend to seek quotations from other companies. Because this is a very competitive market, it's possible that their existing insurer may waive any additional fee, or at least keep it to an absolute minimum. Should this not be possible, it is recommended that the P.A. considers swapping to a different insurer to achieve a better price.

If the P.A. is to use your vehicle to carry out employment duties, you must ensure that your own vehicle policy insures the P.A. to do this.

Mileage

Local Authorities may or may not allow you to pay your PAs mileage costs out of Direct Payments. This will depend on their policy on this issue and the requirements defined within the care package. Please ensure that you discuss this with your Social

Worker when your care package is being assessed or at any time if the requirement arises.

Mileage associated with the PAs journey to and from work would not normally be able to be claimed out of Direct Payments.

If it is agreed by Social Services that your P.A. can claim mileage for journey's associated with carrying out their employment duties, there are a couple of things to consider:

- The Inland Revenue requires you as the employer to keep a record of all mileage claimed and paid to your P.A.
- You will need to determine what you consider to be a fair mileage rate to pay and also whether it includes elements relating to 'wear and tear', insurance etc.
- There is no hard and fast rule about what a fair mileage rate is and so it's advisable to discuss this with your local Rowan Independent Living Adviser to get some idea of the 'going rate' in your area.
- It's worth noting that if the rate is less than 40p per mile, your P.A. can get tax relief against their earnings for the difference. Although in practice this may not amount to very much, any P.A. who wishes to do this can claim relief from the Inland Revenue at the end of each tax year (using Expenses Claim Form P87), providing they keep records of business miles and the mileage allowance payments made to them by the employer (See IR Leaflet IR124).

Other transport considerations

Other forms of transport and associated costs may be relevant to your overall care package. These might include public transport costs associated with yourself, your P.A. or both. Because each local authority has its own policies and procedures to determine whether such costs can be supported out of Direct Payments, we advise that you discuss this aspect with Social services or your local Independent Living Adviser.

If a situation ever arises where you receive a speeding or parking summons because you are the registered owner of the vehicle **but** it was your PA who was driving or parking the vehicle at the time, it is the PA who is legally liable. The details should be given to the appropriate authority. If the PA receives a speeding or parking

summons relating to their own vehicle whilst carrying out their job duties, it is again, the PA who is legally liable. i.e. the driver is always the responsible party. Fines cannot be paid out of Direct Payments money.

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