

Vehicle User Agreement (Car Allowance)

Agreement No:

THIS AGREEMENT is made between:

1. Pabulum Ltd

“the Company”

and

2. The person named in Appendix I

“the User”

WHEREAS

The User is employed by the Company and as a term of their employment the User, has agreed to make available for business use their private motor vehicle (such vehicle to be approved by the Company), initially the vehicle described in Appendix I hereto and subsequently any vehicle which the Company shall approve as a substitute vehicle, details of which substitute vehicle may be endorsed upon this Agreement. In this Agreement the expression "the vehicle" means the original vehicle specified in Appendix 1 or such substituted vehicle. In this Agreement reference to the male gender shall also be read as the female gender.

IT IS HEREBY AGREED

1) The Company will:

- a) Pay one twelfth of the car allowance value as stated in the policy through the employee's monthly pay. The value will be subject to the normal tax and national insurance deductions.
- b) Reimburse the User monthly, on receipt of a proforma claim which must be submitted monthly, for the cost of fuel incurred on official business for the Company, at the current published HMRC Advisory Fuel Rate per mile. For the avoidance of doubt this excludes mileage from your home to your normal place of work as detailed in your contract of employment.

2) **THE USER WILL:**

- a) Pay the amount of any fine or other penalty (i.e. speeding or parking) arising from the use of the vehicle whether for business or private use.
- b) Check the vehicle before use, to ensure that the vehicle is in a roadworthy condition. Any defects must be entered on a Defect Record Form (copy attached at Appendix 2) together with the action taken to rectify. A copy of the form is to be submitted to the Head of People.
- c) Have the vehicle available for use whenever required by the Company in connection with your employment.
- d) Maintain the vehicle in a clean and tidy condition internally and externally at all times.
- e) Not permit smoking at any time within the vehicle or if permitted not to allow fellow employees to travel in the vehicle.
- f) Insure the vehicle for business use.

3) ACCIDENTS

- a) In the event of an accident caused to either a motor vehicle, person or property, you should stop immediately. If there are any injuries you must arrange for the treatment of these as a first priority. Then you should give details to whoever else is involved (by law you are obliged to give details to the other parties involved in the accident) of your name and address and the address of your Insurer.
- b) If any damage is caused to property or vehicles and the third party is not present, you must report the accident to the Police within 24 hours. Equally, if the accident involves injury to any person or animals, the accident must be reported to the Police as soon as possible but in any case no longer than 24 hours after the accident.
- c) You must not admit liability for any accident to other parties involved in the accident.
- d) It is important that the above instructions are adhered to in terms of:
 - i) Complying with the Road Traffic Acts;
 - ii) In order to ensure your Insurers are aware of the incident;

4) VEHICLE MIS-FUELLING

- a) In the event of placing the wrong type of fuel in your vehicle it is advised that you do:
 - i) Not start the engine
 - ii) Roll the vehicle or have it pushed out of the way if causing an obstruction
 - iii) Call your breakdown organisation or the nearest garage so that correct action can be taken to rectify the problem;

5) OVERLOADING AND SECURITY OF LOAD

The User has the ultimate responsibility for ensuring that if he carries a load in the vehicle it is secure and that no overloading occurs. Guidance can be obtained from the Health & Safety Manager

6) SAFETY

- a) It is the User's responsibility to drive in a safe and careful manner and to comply with all regulations. The Company will not be responsible for any fines levied against the User. The User must familiarise himself with the Company's Occupational Road Risk (Driving at Work) assessment which is attached under Appendix 3.
- b) The Company's Health & Safety Manager will carry out a driver risk assessment and driver checklist at the commencement of employment and annually thereafter. The User is required to be in attendance and comply with any required actions.
- c) It is recommended that the User has an eyesight check every two years and wears any necessary corrective eyewear.

Any medical condition that impacts on the User's eyesight should be reported to the Company's Health & Safety Manager.

7) DOCUMENTATION CHECK

- a) Prior to driving the vehicle on company business the User must submit to the Head of People both original parts of his Driving Licence. The User must notify the Head of People of any amendments to his licence as they occur. In particular, the User must let the Head of People know of any endorsements or disqualifications that may affect his ability to drive the vehicle.
- b) In addition, the User must also inform the Head of People of any medical condition that he contracts or suffers or medication prescribed which might have an effect on their driving licence or ability to drive.
- c) Notwithstanding the latter requirements the User must provide the following documentation to the Head of People:
 - Signed mandate to enable an annual live licence check.
 - Copy of insurance policy and certificate.
 - Copy of MOT certificate.
- d) Failure to provide the required documentation will result in non payment of any mileage claims until such time as satisfactory documentation is received.

8) CONDUCT

Whilst driving the vehicle, you act as a representative of the Company - any careless or reckless driving not only reflects on you but also on the Company. Always drive considerately and obey specific rules when on other employers' premises - be especially careful when driving on sites such as schools, hospitals, etc.

As a driver of a vehicle, you are not only legally responsible for the standard of your driving but also for the condition of your vehicle. Always ensure that your vehicle has no defects and is fully roadworthy.

9) HEALTH & SAFETY RULES (for Drivers utilising Company Car Parks)

- a) The User must always adhere to the Car Park speed limit (in some situations a much lower speed may be needed) and any directional roadway system. When driving a large or bulky vehicle, the User must take special care and reduce his speed accordingly.
- b) Any instances of excessive speed or unsafe driving will be treated as a disciplinary matter.
- c) The User must take special care when reversing and get assistance if necessary and always when reversing large or bulky vehicles. Vehicles must only be parked in the designated parking spaces. Blocking the road, even for a moment will impede access for the emergency services.

10) ROUTINE SERVICING

It is advised that the User ensures that his vehicle is serviced regularly in accordance with the manufacturer's recommendations.

11) MINISTRY OF TRANSPORT

It is the User's responsibility to ensure that his vehicle has a valid test certificate and that a copy of such is deposited with the Head of People.

12) ROAD TRANSPORT TAX

It is the user's responsibility to obtain a valid tax disc and to ensure that his vehicle is displaying a valid tax disc at all times, if applicable.

Signed on behalf of The Company

..... DIRECTOR

Date of Signature

.....

Signature of the User

.....

Date of Signature

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(This Agreement will be reviewed in April 2021)

VEHICLE DETAILS

1. Full Name of the User:

Address:

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2. Vehicle to which Agreement relates:

Make of Vehicle:

Registration No:

Engine Capacity:

VEHICLE DEFECT RECORD FORM

Driver:

Vehicle Registration:

Fleet No:

Date	Defect/Details of Accident	Action Taken

Driver's Signature:

Date:

This form to be completed and forwarded to the Head of People.

MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS

OCCUPATIONAL ROAD RISK (DRIVING AT WORK) ASSESSMENT

ACTIVITY

Driving a vehicle in order to undertake work, carry materials and/or equipment, travel from site to site, attend meetings, etc. The assessment covers people whose main job is driving and those who drive occasionally or for short distances. Health & Safety law does not apply to commuting to your normal place of work.

HAZARD

Due to the nature of the work, many employees drive on a regular basis as part of their job, sometimes on busy traffic routes. The main hazards to consider include the driver themselves (their driving experience and competence, fitness and health); the vehicle (its suitability, condition and safety equipment fitted) and the journeys taken (are the routes planned, scheduled and time sufficient, distances not excessive and weather conditions considered).

RISK

With many journeys to be made for carrying passengers / materials, undertaking site visits, attending meetings, etc there is a risk of accidents to staff and other road users, not just through normal driving activity but also due to lack of concentration through tiredness, fatigue, rushing to get there on time, etc.

CONTROL MEASURES

All employees required to drive for work are reminded of the key control measures that must be adopted for their own safety:

GENERAL

- i) Always do basic weekly checks on the vehicle - including checks on tyres, lights, oil and diesel/petrol levels, windscreen washer and repaint/repair any obvious signs of damage.
Remember, as the driver of the vehicle, you are responsible for its safe condition - any defects could result in you being prosecuted, even though the vehicle is owned by your employer!
- ii) Are you familiar with the vehicle - make sure that you adjust the seat, mirror, etc to obtain a comfortable driving position, especially if the vehicle is not the normal one that you drive. Do you know how to operate the controls and what all the warning lights mean? Do you know how to activate the hazard warning lights in the event of an emergency? Do you know what actions to take to ensure your own safety following the breakdown of your vehicle? Do you know how to use anti-lock braking (ABS) properly?
- iii) Make sure you do not drive if you have been drinking or have taken drugs - even one alcoholic drink can slow down reactions and make you drowsy.
- iv) Be especially careful if you have been prescribed medication - check to ensure that it won't make you drowsy. Long distance driving should not be undertaken while taking medication that might impair your judgement.
- v) Always wear any seat belt provided, even for a short journey, and make sure that your passengers use them too.

- vi) Always be courteous to other road users - never get involved in disputes with other drivers on even trivial issues, since it will often escalate into a major dispute. Never sound your horn at other drivers to express your anger. When driving a company vehicle, remember that you are representing the company and set a good example.
- vii) Be particularly careful when reversing lorries and vans where rear vision is restricted - get assistance where possible, but make sure you can always see the person guiding you.

USE OF MOBILE PHONES

- i) The use of mobile phones whilst driving, other than those linked to an approved hands free installation facility (see iii below), is prohibited by the Company.
- ii) The following procedures must be followed:
 - a. Always have your mobile phone switched off when your vehicle engine is switched on.
 - b. Utilise the voicemail/messaging service on your phone to record incoming calls during the periods your phone is switched off.
 - c. Should you wish to check for and/or listen to your messages or make an outgoing call, park your car in a safe place and switch off the engine, before activating your phone.
- iii) The Company will allow hands free kits which comply with the law.
- iv) Any incidents of non-compliance with the above procedures, constitutes an act of gross misconduct under the Company's Disciplinary Procedures.

CARRYING MATERIALS, EQUIPMENT, ETC

- i) Ensure that all materials, equipment, etc are securely loaded (this includes vans, where loose materials inside the van could cause injury or loss of concentration on the part of the driver). Always ensure that your vehicle is not overloaded and the load safely distributed.
- ii) Make sure that all trailers are securely loaded such that they do not present a hazard to other road users. Check that any pieces of equipment are properly secured and that the trailer stop lights, indicators, etc are operative. The correct number plate must be displayed on the trailer. Speed limits are reduced when towing trailers (50mph on single carriageways and 60mph on dual carriageways and motorways).
- iii) Any First Aid boxes must be properly stocked and fire extinguishers fully operative. It is advisable to carry a warning triangle and high visibility jacket on long journeys.

SHORT JOURNEYS

Is the journey really necessary - could the matter be dealt with over the phone, by conference call, or by the other person visiting the office? (Although it may seem more customer friendly to offer to visit, it is certainly more efficient for the customer to visit you.)

LONGER JOURNEYS

- i) Is the journey really necessary - could the matter be dealt with over the phone?
- ii) Could the journey be made by train? - although more expensive, a train journey allows the person to continue working whilst travelling.
- iii) If you have to use the car, plan the journey using the 'safest' route to avoid areas where delays are known to occur.
- iv) Remember to take breaks - up to 30% of accidents on high speed roads probably occur simply because a driver falls asleep at the wheel. For long journeys, a break of at least 15 minutes every 2 hours is recommended. To make the break worthwhile, make sure you get out of the car and stretch your legs, have a coffee, etc. Even if 2 hours have not elapsed, stop and rest if you feel tired. Opening the windows, turning on the radio or getting out of the car will have

little effect - at the first sign of sleepiness pull off the road in a safe place (do not be tempted to 'keep going').

- v) If it is clear that you may be late for a meeting or course, ring ahead and advise someone rather than try and rush to get there.
- vi) Adverse weather conditions e.g. snow can disrupt travel plans. Consider rescheduling your visit/journey if disruption is likely to prevent you from completing your journey.