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<b>Section</b>	<b>Contents</b>	<b>Pages</b>
1	Introduction	2
2	Definition of terms	2
3	What can be claimed as an allowable journey	2-3
4	Special rules for employees	3-4
5	Reimbursement of travel and subsistence expenses	4-5
6	Planning of travel on official business	5
7	Means of travel	5-6
8	Self drive hire cars	6-7
9	Supplements	7
10	Garage expenses, parking, toll and ferry charges	7
11	Car parking fines	7
12	Pedal cycle allowance	8
13	Annual season ticket (salaried staff only)	8
14	Electronic Payment card (salaried employees)	8
15	Day subsistence payments	9-10
	<u>Appendices</u>	
	Appendix 1 – Rates	11
	Appendix 2 – Application for annual season ticket	12

## **1. Introduction**

This policy is to provide guidance for all employees (permanent and fixed term), and Public Appointees (this includes Board members, Members and Head of the National Confidential Forum (NCF)) as well as seconded staff of the Mental Welfare Commission. It is the responsibility of the individual to fully understand the rules under which travel and subsistence expenses can be claimed.

The Commission reimburses individuals for expenditure necessarily incurred on Travel & Subsistence in the course of official business. Claimants are responsible for ensuring that no unnecessary costs are incurred and that the Commission receives good value for money. T&S cannot be used to compensate for undertaking official travel.

Other individuals who may be entitled to claim T&S e.g. Advisory Committee members should be reimbursed in accordance with these rules. Participants in the National Confidential Forum are reimbursed according to adapted rules which are separately available.

**Do you need to travel? The Commission is committed to reducing carbon emissions. Is Video Conferencing an option for you?**

**In cases of doubt about rules or their application, advice must be obtained from Finance prior to making a journey.**

## **2. Definition of Terms**

“Official travelling” means travel for the purposes of official business. This includes visits to service users, training courses meetings and conferences.

For staff and Public appointees, “official travelling” does not include travelling between the home and the permanent office.

“Home” means the place at which a member of staff normally lives while working at the permanent place of work which will be referred to as the ‘office’.

‘Allowable’ means what expenses can be claimed from the Commission.

For the purposes of this policy, the term staff or employee covers Commission employees, secondees and Public Appointees. Guidance for seconded staff can be found in section 4 of the policy. This policy also applies to Designated Medical Practitioners and other persons as specified by the Commission.

## **3. What can be claimed as an allowable journey?**

Business travelling expenses are:

- journeys which employees have to make in the performance of their duties, and
- journeys which employees make to or from a place they have to attend in the performance of their duties - but not journeys which are ordinary commuting or private travel.

HMRC will allow tax and National Insurance relief for the full cost of business travelling expenses.

Allowable travel includes any travel to a temporary workplace and travel between workplaces.

There is **no** reimbursement for any costs relating to ordinary commuting and any private journeys (with the exception of an employee's home being a permanent workplace (see section 4 below for additional information)).

#### What is a permanent workplace?

A permanent workplace is a place which an employee attends regularly for the performance of the duties of the employment.

#### What is a temporary workplace?

It is a place where an employee's attendance is for a limited duration or for a temporary purpose.

#### What is ordinary commuting?

Ordinary commuting is any travel between a permanent workplace and home, or any other place which is not a workplace. A workplace is a place where an employee's attendance is necessary for the performance of their duties of that employment.

In general, there is no reimbursement for the cost of travel between an employee's permanent workplace and

- an employee's home, or any other place the employee visits for non-work reasons; or
- any place where the employee performs the duties of another job.

Although these expenses will generally be an employee responsibility, home to office travel may be paid from public funds in the following specific circumstances:

#### **Only when staff:**

- are entitled to an excess fare allowance;
- are required to make an additional attendance outside normal working hours;
- are required to make a journey to a rail station late in the evening (after 10.00pm) to travel by overnight 'sleeper' train;
- are required to remain at the workplace and public transport has either ceased to run or is severely restricted; and
- are travelling under the emergency arrangements operated by the Commission at times when public transport is disrupted

## **4. Special rules for employees**

Home workers: There are special rules for employees who work from home (but please note that this is not a matter of choice for an employee and HMRC look at such cases closely). If an employee is carrying out their duties from home, they may be entitled to reimbursement for the expenses of travelling from home to other workplaces in the same employment. However, such claims will be assessed by HMRC to see whether they are valid.

### Secondments (24 month rule)

There are also special rules for employees on a secondment for a period of less than 24 months.

A workplace which an employee attends for a secondment or for some other temporary purpose is a temporary workplace. However, there is a special rule which prevents a workplace being a temporary workplace where an employee attends it in the course of a period of continuous work which lasts, or is likely to last, more than 24 months.

Whenever it is established that a secondment is likely to exceed the 24 month rule, it is at this point in time that their temporary workplace will become a permanent workplace and travel to/from home to that workplace will not be a tax allowable business expense (full details can also be found in the Secondment Policy). This means that the travelling expenses can still be claimed but they will be taxable and subject to national insurance.

If there is any doubt as to your permanent workplace please contact the Finance Officer in the first instance.

## **5. Reimbursement of Travel and Subsistence Expenses**

The general principle, in claiming travel and subsistence expenses, is that reimbursement is appropriate if **extra** expense has actually been incurred.

Reimbursement is not appropriate if not supported by bona fide receipts.

Receipts are required for **all** expenditure except mileage allowances, toll charges and where tickets are retained e.g. at train station barriers, car parking barriers etc. The receipt must clearly identify the costs incurred. Any personal items on a receipt are the responsibility of the individual and should not be included on the claim. A credit card (from the merchant machine) receipt will not be acceptable as proof of expenditure incurred as generally these do not itemise the expense incurred.

It is the responsibility of staff to ensure they receive a receipt for expenditure they wish to claim. In exceptional circumstances the Finance team will consider reimbursement of unreceipted claims. An explanation for unreceipted claims must be provided.

**The submission of a fraudulent travel and subsistence expenses claim will constitute a serious disciplinary offence. It will not be a defence to argue that you were unaware of the rules. If anyone has any doubt about their entitlement to specific expenses they must consult Finance before incurring the expenditure and certainly before completing the claim form. If an individual submits a fraudulent claim this could lead to an investigation under the Fraud and Investigations Policy and potentially, disciplinary action could be taken against that person. Where any doubt exists about entitlement to expenses or any aspect of a claim, the claimant must consult Finance for advice.**

In addition to checks by Finance, expenses claims are also subject to periodic scrutinising by Audit Services and HM Customs and Revenue.

A copy of the current claim amounts can be found in Appendix 1. Please see Finance for a copy of the current Claim form (TSM-4)

**Is there a time limit to making claims? Yes: Three months.**

Claimants should submit claims in the first week following the month in which the expense was incurred.

Only in exceptional circumstances will claims more than 3 months old be accepted. Staff wishing to claim exceptional circumstances should e-mail the Finance Officer with the details of their claim. This claim will be considered by the Executive Group.

Please note that for year-end purposes,

Claims for **December and January** should be submitted by end of **February**.

Claims for **February** be submitted as soon as possible- at the latest by end of **March**.

Claims for **March** (Year-end) be submitted no later than **15th of April**

Staff should note that the Commission will not reimburse purchases of Alcohol.

## **6. Planning of Travel on Official Business**

Official travel must be planned with the aim of keeping total expense to the minimum taking account of business needs. Staff, in consultation with their line manager, must consider the following points:

6.1 that the work cannot be satisfactorily carried out by correspondence, telephone or video conference.

6.2 that the work cannot be postponed until another visit to the same area is undertaken.

## **7. Means of Travel**

7.1 Once it has been established that a journey on official business is unavoidable, staff must ensure that the most effective method of travel is selected from the following:

- public transport (including rail, air and ferry)
- hire car
- contract taxi hire / taxi hire
- privately owned motor vehicle;

The aim is to use the most efficient, economic and environmentally sound means of transport taking into account subsistence costs and savings in official time.

This discussion should take place when the individual first joins the organisation and need not be repeated for routine business travel.

In general, staff should avoid using taxis in the main cities such as Glasgow and Edinburgh however, it is recognised there will be occasions e.g. travelling within a city where it may be more cost effective in overall terms to travel by taxi than by other means of public transport.

The Commission uses the Scottish Government Framework travel agency to book trains, planes and ferries. Other providers are used where a better deal can be obtained.

7.2 Where possible staff should take advantage of special fare promotions.

Employees should also refer to the preferred travel agent when booking accommodation to ensure the most cost effective rates are achieved.

The Commission uses the Scottish Government framework car hire provider for Hire cars. These bookings are made by the Administration teams.

**7.3** Any travel should be standard class unless exceptional prior approval has been granted by the Operational Management Group.

#### 7.4 Taxi Travel

Where absolutely necessary, the Commission uses the Scottish Government framework taxi provider for Edinburgh taxi journeys. These can be booked by staff directly using slips obtainable from the Office Manager and Finance / HR.

An individual seeking reimbursement for hire of a non-contract taxi must explain the need for the hire on their travel and subsistence expenses claim form. The MWC (through the Scottish Government) has a contract for taxi hire in Edinburgh and must be used.

Taxi slips can be obtained from Finance, HR and the Office Manager. Used taxi slips should be returned to Finance to enable them to check incoming invoices.

### **8. Self Drive Hire Cars**

8.1 Self-drive hire cars are provided by the Commission utilising the Scottish Government framework provider. The standard SG grade of car provided is Group B, e.g. a Vauxhall Corsa or Volkswagen Polo. However, in certain circumstances, e.g. a number of staff travelling together, a grade C car can be requested. A business case is required for each such exception. It is then the responsibility of the line manager to satisfy themselves that the journey to be undertaken is necessary and that the most cost-effective method of travel has been identified, including the appropriate grade of car requested.

**A hire-car must be used rather than the individual's personal car for journeys over 150 miles (this is a daily limit and based on a Commission cost benefit analysis). Only in exceptional circumstances can journeys over 150 miles be taken in an individual's car. This must be authorised before the journey is made by the line manager.**

Where the SG contractor cannot provide the car hire service in a particular area, a local car hire company should be used.

Staff are reminded of the need to ensure that the most cost effective method of travel is undertaken at all times.

#### 8.2 Fuel

Cars are delivered with a full tank of fuel and staff **must** ensure that the fuel tank is full on return. The car hire Companies charge approximately **treble** the cost of the fuel to the Commission when cars are returned less than full.

### 8.3 Employee Liability

It is strictly prohibited for an employee to drive any vehicle on official business unless they have a valid driving licence. It is the responsibility of the individual to ensure their licence is valid. Individuals are responsible for following all road traffic regulations. Any fine for breaches of road traffic law such as speeding is the responsibility of the individual.

To comply with the Corporate Manslaughter and Corporate Homicide Act (2007) the Commission will check the validity of an employee's licence on an annual basis.

### 8.4 Vehicle Insurance Cover

Cars hired through the Scottish Government contractor are hired with fully comprehensive insurance.

Traffic accidents must be reported immediately to the Car Hire Contractor and to the Commission.

Where individuals use their own car on Commission business, it is the responsibility of the individual to ensure that their own vehicle insurance covers them for work purposes. HR will check insurance documents on an annual basis for those staff who use their own car.

## 9. Supplements

### 9.1 Passenger Supplement

An individual who uses a private motor vehicle on official business and carries official passengers will be paid a supplement in addition to the motor mileage rate for each such passenger. Such passengers should be named on the T&S claim to ensure the claim is valid.

## 10. Garage Expenses, Parking, Toll and Ferry Charges

10.1 Garage, parking, toll or ferry charges incurred on the day(s) for which motor mileage allowance is payable will be reimbursed.

10.2 Receipted costs for overnight garaging or parking will be paid only for the nights when night subsistence allowance is payable. A member of staff in receipt of lodging allowance may be paid receipted garaging or parking expenses within a limit of 50p per day. If a receipt is not attached then this must be stated on the claim form giving an explanation of why this is the case.

## 11. Car Parking Fines

Car parking fines incurred for illegal parking whilst on official business will not be reimbursed from official funds. If there is any doubt about car parking restrictions including parking meters operating at a business venue and limitations placed on parking times permitted staff should consider the use of public transport or a taxi.

## **12. Pedal Cycle Allowance**

An individual using a pedal cycle on official business will be paid the pedal cycle allowance.

## **13. Annual Season Ticket**

13.1 The Mental Welfare Commission (through the Scottish Government) has arranged contracts with the main bus companies and Scotrail to operate a purchase order/warrant scheme. This scheme enables staff to purchase a yearly travel pass for travel between home and office and to repay the cost of the ticket by monthly deductions from salary.

13.2 Permanent and fixed term staff can apply for an annual season ticket. Applicants must have been employed by the Mental Welfare Commission for at least two months and have a contract for at least a further 12 months. Anyone on a fixed term contract for less than 14 months does not qualify.

13.3 On completion of a **Pay16a form** (available from the finance department) the applicant will receive a formal purchase order/warrant which can then be presented to any of the companies listed below. In exchange the company will issue the appropriate season ticket.

13.4 Deductions from salary commence the month following the issue of the purchase order/warrant. To enable staff to renew their 12 month travel pass, advances will be recovered over an 11 month period.

13.5 When an individual surrenders their season ticket for whatever reason to the travel company before its expiry date, the refund will not be paid directly to the holder. Recovery of advances through payroll will cease only when HR Shared Services is in receipt of the credit from the company involved.

Further details on approved travel companies can be obtained from Finance.

### **Queries**

Any queries about the terms of the Season Ticket Scheme should be directed to Finance.

## **14. Electronic Procurement Card (EPC) (salaried employees only)**

In certain circumstances where MWC staff are visiting areas which do not have approved hotels and which require settlement of bills on site, it may be appropriate to make use of the Electronic Procurement Card (EPC).

The same Travel and Subsistence rules apply, the card purely facilitates payment. Arrangements must be made in advance of the visit.

Employees who wish to make use of this facility should contact Finance.



## 15. Day Subsistence Payments

Day subsistence allowance, which must be supported by receipts, is payable only when staff are absent from their permanent workplace for prescribed minimum periods and necessarily purchase food and drink at additional cost to what would have been incurred if working at their permanent workplace. Such costs must have been wholly and exclusively incurred as a result of, and incurred during the course of official business.'

*For example if a member of staff normally purchases a pack of sandwiches each day at the permanent workplace and does this at the same or less cost whilst working away from the work place on official business then the individual is not entitled to claim receipted day subsistence as no extra cost was incurred.*

Details of the criteria used in determining the qualifying periods before day subsistence is payable are as follows:

- day subsistence over 5 hours is a period of absence on official business of more than 5 hours but less than or equal to 10 hours; or
- day subsistence over 10 hours is a period of absence on official business of more than 10 hours; or
- a period of absence on official business either more than 5 hours or more than 10 hours after the completion of a 24 hours period attracting night subsistence allowance. (The 24 hour period commences when the official journey begins.)
- When a member of staff makes repeated consecutive visits on official business to the same place day, subsistence allowance is only payable for a maximum of 30 consecutive working days. Excluding weekends once a period of 30 consecutive days is exhausted the individual involved should if having to outlay expenditure bring this ruling to the attention of the Line Manager. Further reimbursement of day subsistence beyond the 30 consecutive day period will be at the discretion of the Line Manager who must also alert Finance if it is agreed such payments should continue.
- Discretion may be applied by Line Managers to deal exceptionally with absences which exceed 12 hours and which begin in the early hours of the day, e.g. before 5.30 am when it is not considered reasonable for the member of staff to have breakfast at home before travelling. A special supplement of the over 5 hour allowance may be paid in addition to the over 10 hour allowance in such cases.

### **Day subsistence is not payable in the following circumstances:**

- if the place visited is 5 miles or less by the most direct route from the permanent work place. For attendance at an exhibition or in other circumstances when the member of staff is unable to leave the business venue, the limit of 5 miles may be waived by prior approval of the Line Manager;
- concurrently with a 24 hour subsistence payment;
- concurrently with the staying with friends allowance;
- concurrently with the lodging allowance;
- concurrently with the allowance available for journeys made overnight by rail or boat;
- if a member of staff is provided with meals (lunch and or evening meal) at no cost to either themselves or the Commission;
- if a member of staff takes meals (lunch and or evening meal) at home

Any subsistence payment is additional to the bed and breakfast limit for staff staying away overnight on official business. It is designed to cover the cost of both lunch and evening meal. If both lunch and evening meal have been purchased, actual receipted costs may be claimed up to a limit of £24.10 London and £23.50 elsewhere.

If only lunch costs have been incurred (**at a greater cost than would have been incurred at the normal workplace**), actual receipted expenditure up to a limit of £4.90 is claimable for both London and elsewhere. If only evening meal costs have been incurred actual receipted expenditure up to a limit of £19.20 London and £18.60 elsewhere is claimable.

## Appendix 1 – Rates effective from April 2011

		Up To
<b>1. Day Subsistence</b>		
Absence of more than 5 hours but not more than 10 hours – receipted		£4.90
Absence of more than 10 hours – receipted		£10.70
<b>2. 24 hour Subsistence</b>		
<b>London</b>		
Receipted cost of bed and breakfast		
plus meals allowance – receipted		£24.10
<b>Elsewhere</b>		
Receipted cost of bed and breakfast		
plus meals allowance – receipted		£23.50
<b>3. Lodging Allowance</b>		
London per night		£42.25
Elsewhere per night		£37.40
<b>4. Retention of Rooms Allowance (per night)</b>		£6.05
<b>5. Staying With Friends Allowance per night (Tax / NI from 01.04.11)</b>		£36.00
<b>6. Overnight by Train or Boat (per night)</b>		£24.10

1.	Motor Vehicle Mileage	45 pence per mile for the first 10,000 miles 25 pence per mile after that
2.	Motor Cycle Mileage	24 pence per mile
3.	Passenger Supplement	5 pence per mile for each passenger travelling
4.	Equipment Supplement	2 pence per mile
5.	Pedal Cycle Mileage	20 pence per mile