



**CYNGOR BWRDEISTREF SIROL  
RHONDDA CYNON TAF  
COUNTY BOROUGH COUNCIL**

**A hybrid meeting of the CABINET will be held on  
Monday, 17th October, 2022 at 1.00 pm**

**Contact: Hannah Williams - Council Business Unit (Tel No. 07385401954)**

Councillors and members of the public wishing to request the facility to address the Cabinet on any of the business as listed below, must request to do so by 5pm on the Thursday, 13 October 2022 Councillors and Members of the public should stipulate if this address will be in the medium of English or Welsh.

It must be noted that the facility to address the Cabinet is at the discretion of the Chair and each request will be considered based on the agenda items being considered, the public interest/interest of the member in each matter and the demands of the business on that day. To make such a request please email:- [ExecutiveandRegulatoryBusinessUnit@rctcbc.gov.uk](mailto:ExecutiveandRegulatoryBusinessUnit@rctcbc.gov.uk)

It is the intention to live stream this meeting, details of which can be accessed [here](#)

**LATE ITEM FOR CONSIDERATION**

**16. ALL WALES INTERIM JOINT MILEAGE PROTOCOL**

To receive the joint report of the Director of Human Resources and Director of Finance and Digital Services which provides details of an all-Wales Interim Joint Mileage Protocol, recently approved by the WLGA Executive Board and NJC Trades Unions, that has been circulated to all twenty-two authorities in Wales for formal consideration.

**(Pages 3 - 10)**

**Service Director of Democratic Services & Communication**

**Circulation:-**

**Councillors:** Councillor A Morgan (Chair)  
Councillor M Webber (Deputy Chair)  
Councillor G Caple  
Councillor A Crimmings  
Councillor R Lewis  
Councillor C Leyshon  
Councillor M Norris  
Councillor B Harris

**Officers:** Chris Bradshaw, Chief Executive  
Barrie Davies, Director of Finance & Digital Services  
Gaynor Davies, Director of Education and Inclusion Services  
Louise Davies, Director, Public Health, Protection and Community Services  
Richard Evans, Director of Human Resources  
Simon Gale, Director of Prosperity & Development  
Paul Griffiths, Service Director – Finance & Improvement Services  
Christian Hanagan, Service Director of Democratic Services & Communication  
Derek James, Service Director – Prosperity & Development  
Paul Mee, Group Director Community & Children's Services  
David Powell, Director of Corporate Estates  
Andy Wilkins, Director of Legal Services  
Neil Elliott, Director of Adult Services

## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **CABINET**

**17<sup>th</sup> OCTOBER 2022**

### **ALL WALES INTERIM JOINT MILEAGE PROTOCOL**

**JOINT REPORT OF DIRECTOR OF HUMAN RESOURCES AND DIRECTOR OF FINANCE AND DIGITAL SERVICES IN DISCUSSION WITH THE LEADER OF THE COUNCIL (CLLR A MORGAN) AND DEPUTY LEADER (CLLR M WEBBER)**

**Author(s): Richard Evans  
Barrie Davies**

#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to provide details of an all-Wales Interim Joint Mileage Protocol, recently approved by the WLGA Executive Board and NJC Trades Unions, that has been circulated to all twenty-two authorities in Wales for formal consideration.

#### **2. RECOMMENDATIONS**

- 2.1 It is recommended that Cabinet formally consider the adoption of the interim joint protocol, which will result in the Council's mileage rate temporarily increasing by 5p from the current 45p to 50p per mile, effective from 1<sup>st</sup> November 2022.

#### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To provide details of the proposed interim scheme as detailed at Appendix 1.

#### **4. BACKGROUND**

- 4.1 The interim protocol has been developed jointly by both employers and trades unions to recognise the impact of the current cost of living crisis on the workforce and the immediate pressures presented as a consequence of unprecedented increases in fuel costs.
- 4.2 In developing the policy, it was formally acknowledged that the agreed rate of reimbursement for mileage rates for local government employees is determined locally by each local authority, with the majority of local authorities in Wales adopting the HMRC mileage rates. The HMRC mileage rate provides for the reimbursement of mileage without incurring tax or national insurance. However, the rate has remained static since 2011/12 and an argument was presented to the Joint Council for Wales that this has not kept pace with current fuel costs.

## **5. INTERIM JOINT MILEAGE PROTOCOL**

- 5.1 This is a joint protocol between Leaders of local authorities in Wales, facilitated through the WLGA Executive Board and the trades unions of the Joint Council for Wales, to introduce a measure that provides for a temporary increase in mileage reimbursement costs in the short term to address current market volatility in fuel rates.
- 5.2 The protocol allows staff to claim an additional payment of 5 pence per mile (where tax and NI are paid), which increases the current rate from 45p to 50p, when an agreed threshold is breached.
- 5.3 The agreed threshold is £1.50 per litre or 15.2 pence per mile, as determined by the HMRC Advisory Fuel Rate Assessment, as the point at which the ability to claim the additional payment would be triggered and the point below which it would be removed.
- 5.4 This protocol does not replace current local arrangements but offers, through mutual agreement between local government employers and trades unions in Wales, a temporary arrangement that is triggered by an increase in fuel rates that exceed an agreed threshold, the arrangement is similarly removed when fuel rates reduce below that same threshold.
- 5.5 Full details of the scheme are contained within the Interim Joint Mileage Protocol document at Appendix 1.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO ECONOMIC DUTY**

- 6.1 The WLGA and the trades unions would have given due regard to the public sector equality duties under the Equality Act 2010, namely the Public Sector Equality Duty and Socio-Economic Duty.

## **7. WELSH LANGUAGE IMPLICATIONS**

- 7.1 There are no Welsh language implications as a result of the recommendations in this report.

## **8. CONSULTATION / INVOLVEMENT**

- 8.1 There are no consultation requirements associated with the Scheme.

## **9. FINANCIAL IMPLICATION(S)**

- 9.1 The estimated cost of applying this interim mileage protocol is £10k per month.

## **10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

10.1 There are no legal implications as a consequence of Cabinet agreeing to this interim joint mileage protocol.

**11. CONCLUSION**

11.1 Should Cabinet agree to the introduction of this Interim Joint Mileage Protocol, then staff will be able to claim an additional 5p per mile, to mitigate against the impact of incurring higher fuel costs.

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## **Joint Protocol**

### **Mileage Rates in Local Authorities in Wales**

This is a joint protocol between Leaders of local authorities in Wales, facilitated through the WLGA Executive Board and the trades unions of the Joint Council for Wales, to introduce a measure that provides for a temporary increase in mileage reimbursements costs in the short term to address current market volatility in fuel rates.

The protocol is intended to cover staff directly employed by local authorities in accordance with local policies and is a temporary arrangement through to 31 March 2023 or until there is an increase in the HMRC determined AMAP rate, whichever is the sooner. This protocol will be automatically superseded by any increase in the HMRC AMAP rate.

#### **Introduction**

Both employers and trades unions recognise the impact of the current cost of living crisis on the workforce and the immediate pressures presented as a consequence of unprecedented increases in fuel costs.

The agreed rate of reimbursement for mileage rates for local government employees is determined locally by each local authority and the majority of local authorities in Wales adopt the HMRC AMAP rates.

The HMRC AMAP rate provides approved rates for the reimbursement of mileage without incurring tax or national insurance. However, the rate has remained static since 2011/12 and an argument has been presented to the Joint Council for Wales that this has not kept pace with current fuel costs.

This protocol does not replace current local arrangements but offers, through mutual agreement between local government employers and trades unions in Wales, a temporary arrangement that is triggered by an increase in fuel rates that exceed an agreed threshold, the arrangement is similarly removed when fuel rates reduce below that same threshold.

The arrangement, once triggered and until removed, will enable those eligible through existing local authority policies to claim an additional agreed sum per mile up to an agreed maximum, to mitigate against the impact of sustained high fuel costs. The additional payment will be subject to tax and national insurance.

02 September 2022

Version 3

## The protocol

The protocol will provide:

1. The agreed sum for reimbursement
2. The threshold at which an increase would come into force
3. An independent reference point to guide decision making
4. The point at which the threshold would need to be breached to trigger an increase or the point at which it would be removed
5. A summary of the threshold, reference point and rate for reimbursement

## The agreed sum for reimbursement

The ability to claim an additional payment of 5 pence per mile where tax and NI are paid and 3 pence per mile where tax and NI are not paid, with reimbursement up to a maximum of 50 pence per mile, when an agreed threshold is breached. The ability to claim the additional payment will be withdrawn when the HMRC advisory fuel rate assessment returns below this threshold.

## Threshold

The agreed threshold is £1.50 per litre or 15.2 pence per mile.

£1.50 per litre or 15.2 pence per mile as determined by the HMRC Advisory Fuel Rate Assessment, is the point at which the ability to claim the additional payment would be triggered and the point below which it would be removed.

## Reference point

The HMRC Advisory Fuel Rates assessment [Advisory fuel rates - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/hmrc-advisory-fuel-rates-2022) will be used as the reference point.

The HMRC Advisory Fuel rates are different from the AMAP published rates, they are the advisory fuel rates for company car users and are calculated using the prevailing price of fuel on a quarterly basis.

The HMRC Advisory fuel rates are being used in this context as an objective measure to inform the agreed sum for reimbursement, the threshold and trigger points.



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### Trigger points

The baseline has been set using the rate of reimbursement applied between 1 June 2021 and 31 August 2021 which was 13 pence per mile for a 1401 – 2000 cc vehicle running at 44.9 mpg. This equates to £5.84 per gallon or £1.28 per litre.

A tolerance level above the baseline of circa 15% provides for an upper level of £6.80 per gallon or £1.50 per litre and this is the point at which the trigger would come in and the point at which it would be removed.

That broadly equates to a 2 pence per mile increase above the AMAP rate. The ability to claim an additional 5 pence per mile at this point would, after 20% tax and NI, provide circa 3.5 pence and this would cover any further increases in the price of fuel as published under the HMRC Advisory Fuel Rates assessment of up to 17.9 pence per mile.

Should HMRC Advisory Fuel Rates Assessment reach or exceed a reimbursement of 18 pence per mile then a further review will be undertaken.

### Summary

Price of fuel pence per litre	pence per mile (ppm)	Reference point – HMRC Advisory Fuel Rate (ppm) – including date of publication	Agreed sum for reimbursement	Net increase
1.30 (baseline)	13.1	13 (06/21)	Up to 45 ppm	AMAP rate no tax or NI
At or above 1.50 (threshold)	15.2	15 (03/22) 17 (06/22)	Up to 50 ppm	Circa 3.5 ppm after tax and NI
		18	Trigger for a review	To be determined

### Application

The increase will apply for all fuel types including electric, hybrid and diesel cars.

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### Implementation

Implementation will require local authorities to adopt the protocol and apply its provisions as a temporary arrangement within local policies on mileage rates.

### Term

This interim protocol will take effect from 26 September 2022 and will expire on 31 March 2023.

It is subject to review and can be amended by joint agreement. This includes the opportunity to reconsider the threshold as a part of any review.

### Signed:



**On behalf of the WLGA Executive Board**

Cllr Anthony Hunt

(Workforce Spokesperson and Chair, Joint Council for Wales)



**On behalf of the NJC Trades Unions**

Darron Dupre

(Trade Union Side Joint Secretary, Joint Council for Wales)

**Date: 23 September 2022**