



## Minibus multi academy policy

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<b>Links</b>	Health And Safety Policy	
<b>Staff responsible</b>	Director of Estates and Facilities; Principals	

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The Academy's minibuses are a valuable resource, which help to provide pupils/students with access to Educational Visits and Off-Campus Residentials, as well as numerous other extra-curricular activities. It is essential that all users of this resource are aware of the legal and procedural responsibilities pertaining to its use.

## **Aims**

- To provide clear procedures relating to use of Academy or hired minibuses
- To ensure that all users of Academy Minibuses are aware of their responsibilities.
- To ensure all drivers of Academy or hired Minibuses are eligible.

## **Application of policy**

This policy applies to:

- All minibuses with up to and over 16 passenger seats, used on multi Academy Trust business, whether owned, hired or borrowed.
- All persons who it is intended should drive such a minibus (e.g. employee) with the exception of Fire and Rescue Service drivers currently trained to the Emergency Fire Appliance Drivers' standard.

## **Management of Minibuses**

Each Academy using a minibus must nominate an individual or individuals as being responsible for all arrangements relating to their use. These include maintenance and upkeep of the vehicle/s, driver records, annual licence checks, and ensuring drivers' assessment and re-assessment.

## **Maintenance/Licensing of Academy Minibuses**

- Each Principal has a responsibility to ensure that their minibuses are properly maintained, serviced and fully roadworthy. Ensuring that road tax, insurance and MOT certificates are current, however, this responsibility can be devolved to the nominated responsible person/s.
- All Academy Minibuses must be taxed and undergo an annual MOT and servicing, in addition to termly safety checks should also be undertaken by a reputable and suitably qualified organisation.
- Weekly checks of the vehicles (oil, water, tyres etc.) must be completed and any defects passed onto the nominated responsible person, who will then determine if the vehicle should be taken off the road until repairs are undertaken. (P9)
- A register of authorised drivers must be maintained and monitored.

## **Medical Fitness and Licence Checks**

Prior to using Academy Minibuses and annually thereafter the nominated person should:

- Inspect the driver's licence to ensure it is current and has the appropriate entitlement (category D1). Noting any change in the issue number since last being inspected. If there are more than 3 penalty points currently in force, then the Academy's Insurers must be consulted. Driving licence checks are available at: <https://www.gov.uk/check-driving-information>
- Retain a copy of the driving licence on file and require notification of any changes to it (e.g. addition of penalty points).

\*\*It is the responsibility of the licence holder to inform the trust of any changes to their licence e.g. points and/or being banned from driving.

## **Travel**

All Minibuses owned by Summit Multi Academy Trust are only permitted to be driven within the boundaries of the British Isles.

## **Eligibility to Drive Academy Minibuses**

- Those permitted to drive the MAT Minibuses must be over 23 years of age, hold a full clean driving licence including category D1 and have completed Midas training. If a D1 is on the licence, the driver can drive up to a 17 seater (16 passenger seats, 1 driver seat.) if a D1 is not on the licence, the driver can drive up to a gross weight of 3.5 tonnes (4.25 tonnes including any specialised equipment for carriage of disabled passengers) this is the total weight and includes the load; it is generally accepted that this allows the driver to drive up to a 9 (8 passenger seats, 1 driver seat) or 14 seater (13 passenger seats, 1 driver seat); although the weight needs to be checked with the hire company and care taken when loading up the vehicle so that the weight is not exceeded.

- Have held a driving licence for a minimum two years.
- All eligible drivers will be trained using a recognised training scheme every 3 years to ensure high Levels of competence and skill.
- New staff will be asked to undertake individual training unless they are able to provide evidence of previous training which means they are already qualified to drive Minibuses.
- Where a driver's licence only authorises the driving of vehicles with automatic transmission, then only a vehicle with automatic transmission can be used.

NB - Driving a Minibus is NOT the same as driving a car, it requires different levels of knowledge, skill and awareness. It also carries different legal responsibilities which trained drivers will be aware of.

### **Approved Assessors**

The approved assessor may be either:

An assessor trained and certificated by the Local Authority or County Council Road Safety Unit or an external driving Academy/organisation.

### **Responsibilities of the Minibus Driver**

- Drivers are responsible for the following checks before embarking on each journey:
- Completion of the Driver Vehicle Check List (P7)
- Ensure that passengers are wearing seat belts.
- The vehicle is correctly loaded and no more than sixteen passengers are being transported.
- Emergency exits are not blocked
- All doors are correctly closed
- Check that there is enough fuel for their journey
- Make sure that no rubbish is left on the vehicle and ensure that no malicious damage has occurred to the interior of the vehicle
- Ensure there is a charged mobile phone available with the emergency and breakdown contact numbers
- That the S19 Permit is displayed.
- Have read and understood this Policy
- To assess if extra staff are required, with a view to ensuring the good behaviour of persons carried as passengers. If staffing is insufficient, the driver must speak with the trip organiser.
- Are fit to drive and do not drive if they feel tired or unwell.
- To check with their doctor whether it is safe to drive when taking prescribed medicines and to inform the nominated responsible person immediately of any health issues which may impact on their ability to drive.
- It is an absolute rule that drivers (and second drivers) do not consume any alcohol whatsoever during or in the twelve-hour period before any journey. Care should be exercised on the previous day. Drivers should be aware that they may still be unfit to drive even after twelve hours have elapsed
- To drive in accordance with the Highway Code.
- To read and understand the Academy's trips and visits guidelines.
- To read and understand the trips risk assessment.
- To report any damage to the mini bus to the Principal or nominated person.
- To ensure they have contact details of the vehicle hire Company for emergency purposes.
- It is recommended that hi-visibility jackets are worn when driving the minibus and when loading and unloading passengers
- Suitable footwear should be worn when driving the minibus
- If provided, please ensure a dashboard camera is used.

If the driver has any concerns over the safety of the vehicle or the checks above have identified issues, then the driver must NOT drive the vehicle and must report their concerns to the responsible person and ask for alternative transportation.

At the end of the journey the driver must lock and make the vehicle secure and the keys must be returned to the office immediately after use.

### **Journey and Driving Times**

Tiredness of a driver has often been a significant factor in accidents involving minibuses. The presence of a second driver should always be considered both as a result of possible incapacity of the first driver and also because of tiredness (see section on Number of drivers below), particularly on long journeys. The maximum number of hours that a driver may drive in a 24-hour period is nine hours subject to a weekly maximum of 45 hours. All drivers must take a continuous rest period of 11 hours in every 24-hour period. A bed, bunk or

couchette must be available for use during the rest period. The driver must not be tired at the start of any journey.

### **Number of Drivers**

Every minibus journey, in addition to the driver, should have at least one additional adult on the minibus itself or travelling on an additional minibus.

### **Travelling with SEN Pupils**

Particular consideration needs to be given to minibus journeys involving pupils with special needs. The minibus itself must be suitable for the needs of all passengers, including those with disabilities. 5 As a general rule, it is recommended that journeys involving groups of special needs children should have a minimum of two staff, in addition to the driver. This should help ensure that the driver can drive safely, without distraction. A risk assessment undertaken in advance of the trip will enable a decision on staffing levels to be made. The children may have a wide range of needs which could include physical, mental, emotional, medical, behavioural and learning difficulties. Crisis situations, including epileptic fits, challenging behaviour, breathing difficulties and tantrums are just as likely to occur on the minibus as anywhere else. Consideration should also be given to the possibility that children may undo their seatbelts and attempt to escape out of the nearest exit. To avoid this happening, children can be sat in window seats so as to delay any movement towards the aisle and a member of staff can sit next to the exit. Passengers in wheelchairs should be afforded the same level of safety as all other passengers. Ensuring that this is the case is equally important when using a hired minibus. All drivers and escorts should be trained in the care of passengers in wheelchairs, including use of passenger lifts and ramps and, where the wheelchair user needs to remain in the wheelchair for the journey, securing the wheelchair.

### **Second Driver/Supervisor**

It is essential that all journeys in the Academy minibuses, with a distance over 60 miles or a journey time of 4.5 hours or more, are staffed by the named driver and are accompanied by at least one other qualified driver, competent to share the driving. Allowing the driver to relax when not driving so that he/she is fresh when he/she takes over the driving.

### **Loading of a Minibus**

Although a D1 allows a minibus to be coupled with a trailer up to 750kgs, approval must be obtained as part of the trips and visits process. To obtain approval a separate risk assessment must be completed which includes an assessment on the driver's experience of driving with a trailer. Please note that in addition to approval a quotation will need to be obtained for the hire of a roadworthy trailer. Adequate notice will be required and a separate insurance for the trailer and the contents will need to be arranged. All of these items need to be costed & risk assessed as part of the trip.

- The use of roof racks must comply with the manufacturer's guidelines.
- If a Hire vehicle, agreement for the use of a roof rack must be obtained from the approved hire company at the time of booking.
- The approved hire company's insurance does not insure goods in transit, these will need to be covered by the Trust's separate insurance.

### **Section 19 Permit Hire (Hire & Reward) as issued under the Transport Act 1985**

Where payment has been taken from students towards or in full payment for a trip, a Section 19 Permit is required. A Section 19 Permit authorises use of one vehicle adapted to carry not more than 16 passengers for hire and reward in compliance with Section 19 of the Transport Act 1985. Driving the minibus must be on a completely voluntary basis. Driving cannot be part of their role, and no additional sum can be given specifically for the task of driving a minibus (beyond out of pocket expenses). The only exception to this is if the driver has a full D1, without the restriction code 101 (not for hire or reward); even those who passed their test prior to 1st January 1997 will have this restriction, unless they have taken & passed the full D1 test.

Only the following classes of passengers can be carried:

- Pupils/students, staff and helpers of The Trust.
- Pupils/students or pupils/students of any Academy, college, university or other educational establishment, and staff or other helpers accompanying them
- Disabled persons or persons who are seriously ill, and persons assisting them

Note: The driver is still only permitted to drive the size and weight of a minibus permitted by their licence.

## **Journeys Abroad - Section 19 Permits only operate in the UK**

The exemptions which allow a driver to drive a minibus in the UK on their car licence, whether the driver passed the driving test before or after January 1997, do not allow the driving of a minibus in other EU countries.

The driver must have current D/ D1 entitlement on his/her licence, gained by passing a D/ D1 driving test (D is a PCV licence for more than 16 passenger seats).

A minibus cannot be driven abroad if the driver only has an ordinary B car driving licence.

For all other EU countries, the minibus must be fitted with a tachograph.

Drivers must comply with EU drivers' hour's regulations and the tachograph must be used throughout the trip from the moment the trip commences in the UK.

The minibus may need a speed limiter, restricting its maximum speed to 100kph (62mph). This is only an issue for older minibuses built before 2008. All newer minibuses have factory fitted speed limiters as standard: older vehicles may have them, especially those built from 2005 onwards

### **Passenger Responsibilities**

- Must wear seat belts and remain in their seats until instructed otherwise
- Must NOT distract the driver
- Must store bags etc. under their seats or on their lap to ensure clear Aisles to escape routes.
- Pupils/students/Students are ambassadors of the Trust and must never bring its name into disrepute by gesturing, etc.
- Passengers found to have vandalised the minibuses may face a ban from using it and will be required to pay for any damages

### **Accident Procedures**

If an accident occurs and any personal injury (whether to passengers or not) or damage to the Trust's minibus or a third party property is involved, then the driver must stop. He/she must be prepared to give his name and address and details of the owner of the vehicle to a Police Officer or any other person having reasonable grounds to ask. If for any reason the driver is not able to give these details then he/she must report in person to a Police Station as soon as practically possible, otherwise an offence is committed, and in any event not later than twenty-four hours afterwards. Insurance details should be swapped with a third party as soon as is possible.

Where it is safe and reasonable to do so, pupils/students should be removed from the vehicle and taken to a safe area away from the accident site, where they should be fully supervised. A visual check of the vehicle should be undertaken before the journey resumes. If the vehicle is not roadworthy the driver should contact the Breakdown Service.

Report your accident immediately to the Academy responsible person who will let you have the appropriate forms to complete for onward transmission to our insurers.

### **First Aid**

All minibuses must contain first aid boxes which must be checked on a regular basis by the responsible person.

The contents of these boxes must include:

Antiseptic wipes  
Bandages  
Assorted dressings  
Plasters  
Eye pads  
Scissors

\*\*Please ensure any use of the first aid kit is reported to the Nominated Responsible Person thereby maintaining a full kit at all times.

### **In the event of a Breakdown**

All Trust minibuses must be covered for breakdown and recovery.

The driver must inform the Principal or the nominated responsible person as soon as is reasonably possible.

The Breakdown service indicated on the windscreen should be contacted immediately.

Where it is safe and reasonable to do so, pupils/students should be removed from the vehicle and taken to a safe area away from the breakdown site, where they should be fully supervised.

## **Health and Safety of Drivers and Passengers**

Named drivers should state the following to the pupils/students before the commencement of the journey:

- Seatbelts must be worn at all times. This is a legal requirement and is the driver's responsibility to ensure this is being adhered to.
- Everyone should remain seated when the minibus is in transit.
- Which entry and exit doors are to be used. (It is recommended that side doors be used, except in emergencies).
- Aisles and doorways are kept clear at all times. Bags should be kept on laps or stored securely under seats.

The driver and second driver/supervisor must know where the emergency equipment is kept in the vehicle and how to use it. The driver should check all the items are present before each trip. Every time an item is used, the driver should inform the responsible person, who should ensure the item is replaced or refilled.

## **Other Considerations**

If at any time the pupils/students distract the driver, s/he should stop the bus until the pupils/students are settled. Do not try to continue, being mindful that they may also be distracting other drivers.

Where possible park the bus with the side doors to the kerb. Where this is not possible, pupils/students should remain seated until you are able to supervise them from the road.

It is essential that all drivers of minibuses have had sufficient rest prior to undertaking a journey. Drivers must therefore assess whether they are safe to drive before commencing a trip.

Drivers should remember that prescribed or over the counter medications may affect their ability to drive.

On no account should you drive a Minibus if you have had any alcohol within the previous 12 hours.

## **Incorrect Use of the Minibuses**

A driver who breaks the speed limit will be responsible for paying his/her own fines. Similarly fines imposed for incorrect car parking or negligent driving will be the responsibility of the driver. Any damage caused to the minibuses through incorrect use, may result in the driver being asked to contribute fully or partially to any excess payable by the Trust.

\*\*All fines, penalties, payments or expenditure incurred as a result of contravening the

Highway Code remains the sole responsibility of the driver.

UK Speed Limits

The speed limit for minibuses is as follows:

30 mph in built-up areas

50 mph not 60 mph on single carriageways

60 mph not 70 mph on dual carriageways

70 mph on motorways

Authorisation may be withdrawn at any time by the Principal. Any member of staff who has been advised not to drive their own vehicle for medical reasons must not drive the minibus and should inform the Principal immediately.

## **Further Information**

Further advice and guidance on all of the above is available from the DVLA and Department of Transport. Any teachers who are in doubt about their licensing position can telephone Driver and Vehicle Licensing Agency's Customer Enquiries whose staff will be able to help. The telephone number is [0870 240 0009](tel:08702400009). Lines are open from 8.15 a.m. to 4.30 p.m., Monday to Friday. An interactive VOICE system is in operation but it is possible to speak to an operator during office hours.

## Driver Vehicle Check List – MINIBUS

**\*\*TO BE COMPLETED PRIOR TO EVERY JOURNEY**

Driver Name .....

Date of Journey.....

Time Vehicle checked.....

Check	OK	Defects/comments
Fuel Level		
Lights/brake lights		
Windscreen wipers/washer		
Visual inspection of tyres (tread, inflation, condition)		
Brakes and handbrake and Pedal		
Fully stocked first aid kit		
Fire extinguisher		
Indicators working		
Seatbelts working properly		
Mobile phone available		
Permit displayed		

Journey Record



## Weekly Minibus Checklist

Check undertaken by: .....

Date Checked: .....

Check	OK	Defects reported to
Fuel Level		
Oil Level		
Lights/brake lights		
Indicators		
Visual inspection of tyres (tread, inflation, condition)		
Brakes Hand & Pedal		
Fully Stocked First Aid Kit		
Fire Extinguisher		
Permit Displayed		
Seatbelts working		
Mileage		
Additional information		