



Transport Policy

School Minibuses

Responsibilities

The Principals of Kirkstone House School are responsible for ensuring that the school minibuses operating on behalf of the school fully comply in every respect, with all legal transport and health and safety requirements.

Legal Requirements

The law requires that a minibus must:

- Be correctly licensed
- Display a valid tax certificate
- Be adequately insured
- Be well maintained
- Have a valid MOT certificate (if more than one year old)

The Principals and the Headmistress will ensure that the school has appropriate safety procedures for the minibus in line with the RoSPA Advice for Minibus Safety and their code of practice.

The Principals and the Headmistress will ensure that all drivers of the minibus comply with the requirements issued in April 2006 by the DfES in their statement, "Licensing incidental drivers of the school minibus". This states that teachers or other school staff are mostly exempt from having to hold a D1 PCV driving license to drive the school minibus because they are not being paid specifically to drive, i.e. driving is not mentioned in the contract of employment.

For **the exemption to apply**, the following conditions from section 7(6) of the Motor Vehicles (Driving Licenses) Regulations 1999 must be met:

- Drivers are aged 21 years or over
- They have held their category B driving license for at least 2 years
- The minibus is being used by a non-commercial body for social purposes, but not for hire or reward
- Drivers are not being paid to drive the minibus other than out-of-pocket expenses
- The minibus does not exceed 3.5 tonnes (3,500 kg.)
- No trailer is towed.

Applying the above exemptions therefore limits the staff at Kirkstone House School who are able to drive the minibus to those with Category D on their licenses.

The Principals and the Headmistress will ensure that the minibus carries, at all times, a fire extinguisher and a suitably equipped first aid box.



Management of the Minibus

Mr G Wyman (Principal) has responsibility for the management of the minibus and he will ensure that the minibus is maintained and inspected regularly, ie: not less than once per term.

Defect reports must be completed by any member of staff using the minibus to advise on any mechanical fault or default or any other problem with the minibus.

Telephone numbers for breakdown recovery are supplied for members of staff using the minibus.

Management System

The following procedures are in line with the ROSPA guidance and further information can be obtained from www.rospa.com/roadsafety/advice/minibus/ifo/Minibus_Code_2008.

The Principal will ensure the following:

- All compliant drivers must hold D1 on their license
- That the licenses of all drivers are checked to ensure that they are permitted to drive a minibus. A copy is retained on file and the check repeated every 12 months.
- All drivers must check for visible defects, before each journey and complete a report advising of any faults to the Principal immediately.
- All staff are made aware of the personal legal implications if procedures are not adhered to *“it is the driver’s license that will suffer if the vehicle is found to be defective. It is also the driver’s responsibility to ensure the safety (including the use of seat belts) and welfare of all passengers”*. ROSPA February 2008
- All drivers are aware that no journey must take place if any faults that might affect the vehicle’s or passengers’ safety are found.
- The Principal will refuel the minibus on a weekly basis and complete a visual check on the condition.
- The Principal will ensure:
 - that the minibus is securely parked and the keys held securely.
 - that insurance cover, MOT and tax is kept up to date.
 - that the vehicle registration documents are held securely.
 - that access to the minibus keys are restricted to authorised users.
- Familiarisation training should be provided for all new users of the minibus.

Classification of Vehicles

The main types of vehicle used for school transport at Kirkstone House School, include coaches, buses and minibuses. In many cases, school transport is not the sole or primary use of the vehicle.

• Coach

A coach is a large bus, i.e. a vehicle constructed or adapted to carry more than 16 seated passengers in addition to the driver, with a maximum gross weight of more than 7.5 tonnes, and a maximum speed exceeding 60mph. Coaches are hired from reputable local companies to take Kirkstone House School pupils on school trips.



- **Mini-bus**

A minibus is a motor vehicle which is constructed or adapted to carry more than eight, but not more than 16 seated passengers in addition to the driver. The Kirkstone House mini-buses are owned and operated by the school.

- **School Bus**

A bus that is used for journeys that carry schoolchildren and occasionally Teachers and which is not available to the general public for that journey. The vehicle may be used for the general public on other journeys or services, when not being used as a school bus. Kirkstone House School hire a bus from Transit Travel for this purpose.

All Drivers

Driving Time

Members of staff should not drive for more than two hours after a full working day to avoid fatigue which could result in a serious accident.

If the trip demands a longer driving time then one of the following solutions should be implemented:

- Two drivers should accompany the trip
- A paid driver for the school minibus should be employed
- A coach or minibus should be hired

Medically Fit to Drive

In addition to being appropriately trained and licensed, every driver should be medically fit to drive. All drivers are legally required to inform the DVLA of any medical condition that affects their ability to drive. Drivers should notify the Principal of any declarations they have made to the DVLA.

Rule 81 of the Highway Code states that drivers “MUST be able to read a vehicle number plate from a distance of 20.5metres (67 feet – about five car lengths) in good daylight. Opticians recommend eyesight tests every two years.

Driver Impairment

Drivers can be impaired by a number of factors, each of which can reduce their ability to drive safely and increase the risk of an accident. The main forms of driver impairment are:

Alcohol

Alcohol reduces the ability to concentrate and increases the risk of being involved in an accident. Drivers should refrain from drinking any alcohol before driving. Alcohol remains in the body for up to 24 hours after it has been consumed and may still affect a driver the morning afterwards.



Medicines

Drivers should never drive if they feel tired or unwell, or if they are taking prescription or over-the-counter medicine or undergoing any medical treatment which advises against driving.

Illicit Drugs

As well as being illegal, taking illicit drugs can seriously affect a driver's judgement and abilities. Many drugs remain in the body for much longer periods than alcohol. Drivers should never drive if under the influence of drugs.

Distractions

Anything which distracts a driver could easily cause an accident. (eg. eating or drinking, tuning a radio or changing a CD, reading a map, writing, smoking, using a mobile phone or other electronic equipment, holding conversations with an escort or passenger unrelated to the task of driving).

Mobile Phones

It is very useful to have a mobile telephone on the school transport. However, it is essential that drivers do not make or receive calls while they are driving, as the distraction this causes (even if it is a hands-free phone) significantly increases the risk of an accident. The mobile phone should be kept by the escort, or the driver should only use it when stopped in a safe place.

Schools should not expect to contact a driver while she or he is driving.

Tiredness

Sleepiness reduces reaction time, alertness, concentration and decision making, all crucial driving skills. Tired drivers are much more likely to have an accident, and the crash is likely to be severe because a drowsy or sleeping driver does not usually brake or swerve before the impact. The Highway Code recommends a minimum break of at least 15 minutes after every two hours of driving.

Use of Seat Belts and Child Restraints

Front & Rear Seats in Minibuses and Coaches

Drivers must wear a seat belt.

Passengers in the front seats, and any exposed seat, must use the seat belts. In these seats, **the driver** is responsible for ensuring that:

- children under 3 years of age use an appropriate child restraint.
- children aged between 3 and 11 year, and under 1.5 metres tall use an appropriate child restraint if available, or if not available, wear the seat belt.
- children aged 12 and 13 years (and younger children who are 1.5 metres or taller) use the seat belt.

Passengers aged 14 years or more traveling in the front seats, or any exposed seat, must wear a seat belt and are personally responsible for doing so.



Failure to Wear Seat Belts

Passengers who do not wear a seat belt put themselves and other occupants at risk because in an accident an unrestrained passenger would be thrown about inside the vehicle with considerable force and could easily injure or kill another passenger or the driver. In the event of a passenger refusing to wear a seatbelt in a Kirkstone House School minibus the driver should explain the risks and advise that the driver may refuse to transport them if they refuse to wear a seatbelt. However, the passenger should not be left behind if this would place them in danger.

All Seat Belts

It is important that seat belts and child restraints are correctly adjusted for the wearer to maximise their effectiveness. The basic points to note are:

- the belt should be worn as tight as possible
- the lap belt should go over the pelvic region, not the stomach
- child restraints should be securely fitted and the child should be securely held in the restraint.

Seat Belts - Coach Reclassification

Passenger Service Vehicles are exempt from the requirement for seat belts to be fitted. In some cases, especially with older vehicles, it may even not be possible to fit adequate seat belts to them. Where the vehicle can be fitted with seat belts, in the main it will be possible to fit only two point (lap-belts). However, the reasons cited for seat belts not being fitted to buses relate to:

- the potential for greater passenger injury in a crash when/if seat belts are used
- the likelihood of wear and tear, and/or accidental or purposeful damage
- the reality that passengers would be unlikely to use seat belts in buses
- the lower speeds at which buses generally travel.

If a coach undergoes permanent modification or adjustment to prevent it from traveling at a speed greater than 60mph the owner/operator may seek to have the vehicle re-classified as a bus. If reclassification is permitted, the vehicle will become exempt from the seat belt regulations which apply to coaches.

Luggage

Schoolchildren have to carry books, games equipment and sometimes musical instruments to and from school. It is therefore essential that practical and safe luggage storage is provided within the vehicle appropriate to the journey (eg. start/stop journey to/from school or longer distance journeys). It is vital that the emergency exit/s are not blocked or restricted in any way.

Taxis and Private Hire Vehicles

Kirkstone House School may on occasion hire taxis or private hire vehicles to transport small numbers of children to or from school. These operators, vehicles and drivers will be required to be licensed by the Local Authority.



In normal cars being used as taxis or private hire vehicles, the driver is responsible for child passengers wearing seat belts, in the same way as any other car driver.

Child restraints are rarely provided in a taxi and it will therefore be incumbent upon the person responsible for the child(ren) being transported to ensure that a relevant restraint is available. However there may still be issues raised by the driver about the use of the restraint, e.g. who is responsible for the safe fitting of the restraint, who is liable if the restraint is inappropriate for the child or faulty or dangerous causing injury in a crash?

All passengers in taxis and private hire vehicles should have adequate and ready means of access to each and every seat.

If taxis or private hire vehicles are used it is essential that:

- vehicles are safe, roadworthy and regularly maintained and serviced
- vehicles are fitted with proper seat belts at every seat position, and that proper and adequate child safety equipment is both available and used when smaller children are carried
- drivers are appropriately trained and licensed, (LA's may wish to impose higher standards than those required by driver licensing regulations to reflect the special nature of the work undertaken)
- drivers both know how to, and actually ensure that seat belts and/or child in-car safety equipment is fitted, adjusted and used correctly
- drivers are police checked via the Criminal Records Bureau

Use Of Staff And Parents' Vehicles On School Business

Use of staff vehicles on school business

When a member of staff uses his or her own car on school business but does **not** transport other members of staff, pupils, parents or anyone else connected to the School, the individual has responsibility to ensure their vehicle is correctly maintained and the vehicle is legal and safe to use. The vehicle should also have an up-to-date MOT certificate and be regularly serviced.

It is also important that the staff member has a valid driving license, and that he or she ensures that his or her personal car vehicle insurance covers them while on School business. The member of staff should ensure they drive safely and responsibly at all times.

Use of staff vehicles to transport other individuals, including pupils, on school business

The Kirkstone House School's insurance policy covers staff using their own vehicle to transport pupils on School business.



Any member of staff using their own vehicle on School business where other staff, pupils, parents or anyone else connected to the School, are being transported in that vehicle, will be required to sign a Vehicle Disclosure Form stating that they have not previously been disqualified from driving within the last 5 years, that they have not been refused insurance, that the vehicle is legal and safe to drive and that the staff member will drive safely and responsibly at all times.

Prior to any member of staff using their own vehicle on the School's business to transport pupils, other staff members or parents, the following documents must be shown to the School Administrator:

- Driving license
- Insurance documents
- MOT certificate of vehicle
- Service history of the vehicle

The School will retain a copy of these documents on the member of staff's personal file.

Use of parents' vehicles to transport pupils on school business

Where parents may be asked to transport children on school trips or for matches the following information must be included in the letter to parents:

TRANSPORT IN PARENTS' CARS

Some parents have kindly volunteered to take the children to (wherever they're going) on (date) and to transport them back to school. Our insurance covers such journeys but you should be aware that:

1. We do not ask parents, who act as volunteers, whether they have any driving convictions or have ever been refused insurance in respect of any motor vehicle.
2. Parents, who act as volunteers, are not subject to Criminal Record Bureau checks.

(child name) will be taken in (parent name)'s car. Please sign this slip to indicate that you are happy with this arrangement.

Name:

I agree to (child name) being transported by (parent name) to (wherever they're going) on (date)

This only applies where the School makes the arrangements. If the parents make the arrangements between themselves, the above is not necessary.

Authorised by

Mrs Corinne Jones
Headmistress
On behalf of the Proprietors

Dated 5th June 2018

Date of next review 5th June 2019



Staff declaration form for use of own vehicle on the School's business

NAME:

CAR REGISTRATION:

I confirm that the vehicle will be correctly maintained to ensure the vehicle is legal and safe at all times, and that the vehicle has up-to-date insurance, MOT certificate, and a service history which will be maintained at all times.

I confirm that I have not been disqualified from driving within the last 5 years and that I have never been refused insurance in respect of any motor vehicle.

I confirm that I will drive safely and responsibly at all times.

I confirm that I am happy for the School to hold copies of these documents on my personal file.

I confirm that if there are any changes to the details above, I shall inform the School Administrator without delay.

SIGNED:

DATE:

For office use only:

Driving License Number:

Insurance documents:

MOT certificate:

Service history: