



# **Minibus Code of Practice and Guidance (Whole School including EYFS)**

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## **Independent Day School**

## **Our Lady of Sion School**

Last Reviewed: October 2024

Frequency of Review: 3 years

Next Review Due: October 2027

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## Statement of intent

Our Lady of Sion understands that minibuses are a useful form of transport and are often required for outings such as educational visits or trips, in addition to the daily transportation of children to and from the school.

The school also understands that safety on the minibus, and of the minibus itself, is paramount when travelling. As a result, this policy has been created to provide guidance on the responsibilities and procedures associated with the use of minibuses.

## 1. Legal framework

This policy has due regard to all relevant legislation and statutory and non-statutory guidance including, but not limited to, the following:

- Road Traffic Act 1988 (As amended)
- The Motor Vehicles (Driving Licenses) Regulations 1999 (As amended 2015)
- Health and Safety at Work etc. Act 1974
- DfE and Department for Transport (2013) 'Driving school minibuses: advice for schools and local authorities'
- RoSPA (2015) 'Minibus Safety: A Code of Practice'
- GOV.UK (2016) 'Child car seats: the law'
- GOV.UK (2014) 'Seat belts: the law'
- NASUWT (2024) 'Use of Minibuses – Joint guidance issued by NASUWT, GMB, UNISON and Unite to Members in Great Britain'.

This policy operates in conjunction with the following school policies:

- Educational Visits Policy
- Pupil Medication Policy
- Behaviour Policy & Statement of Behaviour Principles
- Health and Safety Policy
- First Aid Policy

## 2. Roles and responsibilities

The Bursar is responsible for:

- Ensuring that a full MOT on the school minibus is carried out by the required date.
- Providing appropriate tax and licensing for the minibus.
- Ensuring that the minibus is appropriately insured, and roadside assistance is organised.
- Ensuring that a second driver is available when appropriate.
- Setting minimum criteria for the minibus driver and ensuring they conform to it.
- Undertaking generic and specific risk assessments.
- Handling any maintenance reports.
- Establishing an emergency procedure in the event of accidents or breakdowns.
- Ensuring that a checklist is available for inspection in the minibus, detailing the checks that should be made.
- Ensuring minibus drivers are aware and have a copy of the procedures to follow in the event of an emergency or breakdown.
- Reviewing this policy.

The driver is responsible for:

- Ensuring that they are eligible to drive as per the eligibility requirements outlined in this policy.
- Adhering to all relevant road rules and laws, including any driving hours regulations.
- Ensuring that all passengers are wearing a seatbelt.
- Ensuring that the minibus is roadworthy in accordance with the Road Vehicles (Construction and Use) Regulations (England, Scotland, Wales) 1986.
- Undertaking checks and entering data into the vehicle log book.
- Ensuring that the minibus is used for the purposes outlined in the insurance policy.
- Taking headcounts when boarding and exiting the minibus to ensure everyone is accounted for.
- Keeping a record of the names and contact numbers for any pupils travelling in the minibus.
- Ensuring that passengers continue to wear their seatbelts throughout the journey.
- Ensuring that passengers model good levels of behaviour, and responding to any disruption appropriately.
- Ensuring that passengers do not consume food or drink on the minibus.
- Ensuring that there is at least one first aider on the minibus.

Passengers/pupils are responsible for:

- Following all instructions issued by the driver and supervisors.
- Wearing their seatbelt at all times during the journey.
- Conducting good levels of behaviour, and not distracting the driver.
- Conducting good levels of behaviour towards drivers in other vehicles.
- Keeping all exits clear for the duration of the journey.
- Maintaining the exterior and interior of the vehicle, and ensuring no damage is caused.

### 3. Eligibility

No staff member will be required to drive a minibus unless there is an explicit requirement to do so within their contract of employment.

A minibus is defined as a motor vehicle with between 9 and 16 passenger seats. It is described as a category D1 vehicle by the Driving Vehicle Licencing Authority (DVLA).

To be eligible to drive a minibus for hire or reward, drivers will hold a full D1 (or D) passenger carrying vehicle (PCV) entitlement. All drivers of the minibus will be between the ages of 21 and 70. Before any individual is permitted to drive the minibus, they are required to provide their driver's licence to the Bursar, who will record confirmation of this and make a photocopy for school records. Full details will be added to the school SCR (Single Central Register).

Drivers of the minibus are required to have at least two years' experience as a qualified driver. All drivers are required to successfully pass the school's driving competency assessment to continue to drive the minibus. Drivers will be subject to a re-assessment at least once every three years, or in response to any incidents. The school will cover the costs of any training and testing required.

Drivers will also be eligible to drive a minibus if they passed their category B (car) driving test **before** 1 January 1997, provided the minibus is not being used for hire or reward. In these circumstances, there will be a passenger limit of 16 and no maximum weight restriction on the vehicle. Drivers with a D1 + E entitlement may also tow a trailer weighing up to 750kg.

Drivers who passed their category B (car) driving test **after** 1 January 1997, will need to have taken and passed an additional test to obtain the D1 entitlement to drive a minibus.

Drivers holding a category B (car) licence, obtained on or after 1 January 1997, are eligible to drive any vehicle weighing a maximum of 3.5 tonnes, with a maximum of eight passengers, and with a trailer weighing a maximum of 750kg, e.g. 'Lightweight Minibuses'.

Drivers holding either a category B (car) licence or a category D1 (101) licence are entitled to drive a minibus operated for hire or reward if they also hold a section 19 permit.

To be eligible for a minibus permit, the following criteria will be satisfied:

- The vehicle carries between 9 and 16 passengers.
- The vehicle is being driven for a voluntary organisation that benefits the community.
- The minibus service is only available for members of that organisation, and not the general public.
- Any charges are requested to cover running costs and not for personal profit.
- The driver is 21 or older.

#### **4. Risk assessment**

The Bursar will conduct a risk assessment of the minibus; this will be reviewed termly and in response to any services or following a breakdown/accident.

The Bursar will also conduct a generic risk assessment of the minibus service, covering factors such as supervising drivers, parental consent, journey planning, accident procedures, etc.

Additional risk assessments may also be completed for specific journeys, or regarding specific pupils and/or medical conditions if necessary.

#### **5. Procedures**

The keys for the minibus are held in the locked key cabinet inside the front door. The key for this cabinet is only held by those eligible to drive a minibus, with the Bursar holding a spare.

The driver of the minibus will ensure that:

- They are legally entitled, and properly insured, to drive the minibus.
- The minibus is well-maintained and legally allowed on the road.
- The minibus has a valid MOT certificate and insurance.
- The minibus has a valid permit disc, if operating under a section 19 permit scheme.

A designated member of staff will carry out and record a weekly maintenance check on each minibus using the 'Maintenance checklist' provided by the Administrator.

The minibuses will be cleaned on a regular basis by a designated member of staff.

If the driver has any concerns regarding the safety or roadworthiness of the minibus, they will inform the Administrator, who will organise appropriate action.

If the driver has any serious concerns regarding the safety or roadworthiness of the minibus during the journey, eg, a flat tyre, a call will be made to the Bursar, and the breakdown procedure will be followed.

If the driver notices any minor defects during the journey which do not compromise the safety of the driver or passengers, eg, one broken windscreen wiper, these can be reported to the Administrator after the journey. The administrator will retain a log of these reports.

The minibus will not be used in any situations where a cause for concern has been identified by a qualified mechanic.

In addition to the weekly checks, and before beginning the journey, the driver will:

- Plan the journey so that it can be completed safely and comfortably in line with the passengers' needs.
- Conduct a visual inspection of the minibus and the pre-drive checklist.
- Ensure that they are fit and able to drive.
- Conduct a moving brake test.
- Ensure that all rubbish is removed and there is no damage to the inside or outside of the vehicle.
- Ensure that passengers are aware that they must not consume food or drink on the vehicle.

The administrator/driver of the vehicle will plan all routes accordingly, ensuring that the route is suitable and safe for use by minibuses.

**Mobile phones are not permitted for use by the driver whilst they are driving the minibus.** If the driver must make a call, they will pull over to a safe stopping place to do so. A mobile phone will be provided to the driver in case of an emergency. The driver will have the numbers of all parents of pupils on the minibus, as well as emergency contacts for the school.

The Administrator, who is not on the journey, will be aware of the destination of the minibus, its route and its expected time of arrival and return. Parents will be informed of the above information and will be provided with the mobile phone number for the member of staff on the minibus.

Smoking, drinking alcohol and taking drugs is strictly prohibited by pupils, staff members and the driver whilst on the vehicle.

The driver will ensure that the legal speed limits for minibuses are followed at all times during the journey.

Pupils will be required to maintain good levels of behaviour at all times whilst on the minibus, in line with the school's Behaviour Policy, and will avoid any behaviour that may distract the driver.

Any disruption on the minibus will be dealt with appropriately by the school, in accordance with the school's Behaviour Policy and Educational Visits Policy.

## 6. Health and safety

If a driver is taking any prescribed drugs or medicine that may affect their ability to drive, they are not permitted to drive the minibus, in accordance with the Health and Safety Policy.

In light of the above, if the driver feels unwell before or during the journey and that this may affect their ability to drive, they are not permitted to drive the minibus. Another member of staff who holds a relevant licence will be available to drive the minibus in such cases. If there is no suitable alternative driver, the trip will be postponed.

A first aid kit will always be available on the minibus and will be fully stocked, and at least one member of staff on the minibus will be a qualified first aider. This will align with the First Aid Policy. Additional medication may be taken for pupils with medical conditions, though only staff trained to administer medication will do so.

Seatbelts and seats will be fitted and worn in accordance with relevant seat belt laws.

The driver will instruct all pupils to wear their seatbelts throughout the journey. All members of staff aboard the vehicle will wear their seatbelts at all times.

Pupils over the age of 14 are personally responsible for wearing their seatbelt and must ensure they do this throughout the journey.

Passengers will ensure that all emergency exits are clear at all times.

The school will ensure that another adult who is eligible to drive a minibus is available to supervise passengers, provide cover in emergencies and to minimise the risk of driver fatigue.

## **7. Breakdowns**

In the event of a breakdown, the driver will move the vehicle off the road and switch on the hazard warning lights. Passengers will be moved out of the nearside of the vehicle, and as far away from it and other traffic as possible. If it is safer for passengers to remain in the vehicle, eg, if there is not a safe place outside, the driver and supervisors will assess the situation and decide whether to stay on the minibus.

The driver or a supervisor will contact the relevant breakdown cover company immediately. The driver or a supervisor will contact the school office after arranging a breakdown call out. Contact details for the relevant breakdown cover and insurance provider will always be kept in the glove compartment of the minibus.

If the breakdown occurs on a motorway, the driver or a supervisor will use the roadside emergency telephone, and will provide the police with the breakdown service, the vehicle's location, and if any pupils on board have SEND.

All passengers will be kept together in one group and pupils will be constantly supervised.

If necessary, the driver will seek help, leaving the pupils with the supervisors. If the driver is the only adult present, pupils will not be left alone.

The driver, supervisors and pupils will all wait in the safe place until it is safe to return on the minibus. If passengers are unable to return on the minibus, appropriate transport will be arranged by staff in the school office to collect pupils, supervisors and the driver.

## **8. Accidents**

An emergency procedure will be established by the headteacher prior to beginning the journey, and a copy will be kept inside the glove compartment in the minibus. The emergency procedure will be communicated to the driver and all supervisors on the journey, to ensure they are fully aware of the process to be followed.

In the event of an accident, emergency services will be contacted immediately, and supervisors will remain with pupils at all times. The driver or a supervisor will contact the school office as soon as possible after calling the emergency services.

All passengers will remain at the scene of the accident in a safe place until the emergency services and any additional transport has arrived.

If injuries are sustained, the names of those involved will be reported to the school office and an accident log will be completed upon return to the premises. If no injuries are sustained and the vehicle is not damaged, the driver will ensure that the vehicle is roadworthy and safe before continuing the journey. An accident log will be completed upon return to the school.

## **9. Monitoring and review**

This policy will be reviewed every 3 years by the headteacher; the next scheduled review date for this policy is October 2027.

This policy will also be reviewed in response to any incidents or accidents that occur.

Any changes made to this policy will be communicated to all members of staff.

All drivers and supervisors are required to familiarise themselves with the procedures in this policy when planning a journey.



**10. Appendix A – Maintenance checklist**

<b>Check</b>	<b>Checked? (Y/N)</b>	<b>Details of defect</b>	<b>Reported (date)</b>
Tyre pressure			
Tyre condition and tread depth			
Lights – operation/cleanliness			
Engine oil level			
Coolant level			
Brakes, including fluid level			
Battery			
Windscreen wipers/jets/reservoir			
Seat belts/buckles/fixings			
Operation of steering/gears/clutch			
Fire extinguisher			
Jack/handle/wheel brace			
First aid kit			
Operation of horn			
Doors, latches, locks			
Condition of wheel rims and trims			
Road fund licence/transport permit			
Condition of mirrors			
Operation of dash controls			
Excessive exhaust smoke			

<b>Condition of body work/number plates</b>			
<b>Silhouette signs</b>			
<b>Rear scope</b>			
<b>Cleanliness of exterior</b>			
<b>Cleanliness of interior</b>			

All checks have been made, and all defects have been reported to:

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_