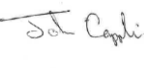


London Borough of Enfield

School's Minibus Safety Guidance

Durants School

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Document Title:	School's Minibus Safety Guidance		
Version Number:	9	Date of Next Review:	June 2028

**This plan will be amended according to legislation /
changes to better practice and will be updated as and when required.**

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Introduction

Headteachers, governing bodies, academy trusts, proprietors and the local authority have a responsibility for ensuring that staff and pupils are able to work and learn in a safe environment.

The following information is non-statutory advice produced by the Department for Education (DfE), the Department for Transport (DfT) and the Association of Chief Police Officers (ACPO) on driving licence entitlement when driving a school minibus.

[Driving school minibuses: advice for schools and local authorities - GOV.UK](https://www.gov.uk/guidance/driving-school-minibuses-advice-for-schools-and-local-authorities)

What is a minibus and who can drive one?

A minibus is a motor vehicle with between 9 and 16 passenger seats. It is described as a Category D1 vehicle by the Driving Vehicle Licensing Authority (DVLA). Drivers who hold a full D1 (or D) PCV entitlement can drive minibuses for hire or reward.

There are, however, circumstances when a driver can drive a minibus within the UK when they hold a car (category B) licence. These circumstances vary depending on when the driver passed their car driving test. These arrangements only apply when driving the minibus in the UK *not* if driving abroad.

If you passed your category B:

- a) **car driving test before 1 January 1997**, you can drive a minibus that is not being used for hire or reward as these licences automatically include category D1 (101) (not for hire or reward) entitlement. This means school staff with such a licence can drive a minibus carrying up to 16 passengers with no maximum weight restriction on the vehicle. Drivers with a D1 + E (101) (not for hire or reward) entitlement can tow a trailer over 750 kg.
- b) **driving test on or after 1 January 1997**, you may drive a minibus that is not being used for hire and reward if the following conditions are met:
 - you are over 21 and have held a category B licence for at least 2 years **(25 years old or over for Durants School)**
 - the minibus is used by a non-commercial body for social purposes
 - you receive no payment other than the recovery of your out of pocket expenses (e.g. fuel and parking costs)
 - you provide the service on a voluntary basis
 - the total weight of the minibus including passengers is not more than 3.5 tonnes – plus up to 750kg of equipment for disabled passengers, for example a wheelchair ramp
 - you do not tow a trailer

After discussion with the Head Teacher, drivers are required to be 25 years old and over to drive a minibus for Durants School. All minibus drivers must be employed by the London Borough of Enfield.

What is hire and reward?

A vehicle which is operated for hire or reward is one where payment is made, in cash or in kind, for the carrying of passengers, or matters which include the carrying of passengers, irrespective of the person to whom the payment is made.

A minibus is not being used for hire or reward, for example, where the pupils are not obliged to pay in exchange for the right to be passengers. This applies where independent schools with charitable status, free schools and academies use a minibus not for a passenger service on a commercial basis but to take pupils off-site for trips within the school day or as an extra-curricular activity, where the pupils do not pay for their transport. Independent, fee-paying schools which lack charitable status could be viewed as commercial bodies that operate minibuses for hire or reward; the hire or reward element being school fees. *We advise such schools to seek legal advice.*

If schools (or their insurers) are concerned that they may not meet the definition of not operating for hire or reward they are advised to consider [applying for a section 19 permit](#).

What are social purposes?

The gov.uk explains that social purposes mean non-commercial activities. This includes school trips and travel to sporting fixtures within the school day or as an extra-curricular activity.

What is ‘on a voluntary basis’?

GOV.UK state that if the terms and conditions of a teacher’s contract of employment state that driving minibuses is a part of their duties, or if a teacher is paid an additional sum specifically for driving the minibus (other than a sum to reimburse the teacher for out of pocket expenses on a cost recovery basis), such staff would be deemed as receiving payment for driving a minibus and would not be driving the minibus ‘on a voluntary basis’. In these cases, a full D1 licence (or a full D licence) would be needed.

However, if a teacher’s contract of employment does not state that driving minibuses is part of their duties and they receive no additional payment for driving a minibus to take pupils on trips or to social sporting events (except for reimbursement for out of pocket expenses), they will be driving on an extra-contractual, voluntary basis. In this case, the category B licence would suffice (assuming the conditions are met) even if the school reimburses the teacher for fuel, parking and tolls.

Medical standards

Every driver must comply with medical standards for any driving licence issued. General information for medical professionals about the assessing fitness to drive guide can be found [General information: assessing fitness to drive - GOV.UK](#). Schools can also seek advice from their Occupational Health Provider.

Training

The MIDAS scheme allows organisations to assess and train minibus drivers and is highly recommended for school staff driving on a category B licence. Although the scheme is not mandatory there are many advantages to successful completion of the training. Drivers will feel more confident in their ability to drive and valuable experience of driving a minibus is gained, increasing competence. Some employers may require drivers to have taken this training, and some insurance companies may offer lower premiums based on drivers having completed the training.

Insurance

It is up to drivers to check with their insurer whether their insurance policy covers a minibus in the circumstances in which it is proposed to be driven.

Tax and MOT

Check that the vehicle you are driving has been taxed. You can do this online at: <https://www.gov.uk/check-vehicle-tax>

Every minibus must have a valid MOT certificate, if more than one year old. The drivers of the minibus should satisfy themselves that the minibus has a current MOT certificate.

Head Teachers Responsibilities

Head teachers should ensure that every driver:

- has the appropriate licence entitlement to drive the minibus,
- undergoes initial and periodic re-assessments of ability to drive a minibus,
- receives practical driver training, as necessary, under the conditions in which they are likely to drive the minibus, but should at least meet the standards required by MiDAS (or equivalent) training,
- understands his or her responsibilities,
- has a clean driving licence (at the discretion of the Head teacher)
- is medically fit to drive
- drives for limited periods to avoid fatigue
- is accompanied by a second driver, who is also fully qualified and meets the same conditions as the first driver, on appropriate journeys
- makes sure there is appropriate supervision on the bus
- always carries a suitable form of identification (e.g. driving licence)

Minibus Driver Responsibilities

Drivers must have the express authorisation of the Head Teacher to use a school minibus to conduct School business. Authorisation must be obtained prior to use of the vehicle.

Employees carrying out driving for school purposes must be prepared to produce all parts of their driving licence for inspection, as and when requested by the head teacher. The details of the inspections will be documented and recorded and maintained on file for audit purposes. Such inspections should take place at least twice a year at the head teacher's discretion with January and July being a guideline. Failure to provide a valid driving licence will result in further action against the employee such as disciplinary or demotion to a job that does not involve driving duties.

All drivers who drive Minibuses will need to sign a declaration form (**Appendix 2**) and the school may check their licence details with the DVLA if required.

All drivers required to do so for school purposes must inform their head teacher if they are convicted of **any** motoring offence immediately. This includes offences attained when driving for personal purposes or on School business.

It is the driver's responsibility to notify their head teacher of any changes in circumstances including all medical conditions, which may affect their ability to drive.

Where a driver is prescribed a course of medication that may impair their judgement, when driving he/she should inform the line manager immediately. The head teacher should arrange to withdraw the employee from driving duties for the duration of such medication or until the effects subside. In the event of uncertainty concerning the effects of any medication then advice should be sought from the School's occupational health service.

All employees who are required to drive for business purposes must comply with both the Council's No Smoking whilst at work, and Alcohol & Substance Misuse Policies. In addition, employees must also observe all legislation regarding the use of mobile phones whilst driving.

The engine oil, water levels, tyre pressures and wiper blades etc. should be checked at regular intervals (**see Appendix 1 on Exterior and Interior Checks**).

The vehicle should also be kept in a clean and serviceable condition as it portrays both you and the School's image.

Under no circumstances should any form of additional Payment/Tips be accepted for driving a School operated Minibus.

Pre-Drive Safety Check

Every day the minibus is used, the driver should conduct a pre-drive safety check. This should be repeated whenever another driver takes over the vehicle. He or she should walk around the vehicle, including the trailer if applicable, to check for visible defects, and check the items listed at **Appendix 1**.

Reporting Accidents/Incidents

If a driver has an accident or a significant near miss whilst on business purposes, they must report the accident or near miss to the emergency services and their line manager immediately. The employee must provide as many details as possible about the accident/incident. All signatures required on the form must be supplied in order to complete the insurer's requirements.

The manager must then complete details of the accident or incident using the online SMARTAA Accident/Incident Recording/Reporting System in order to comply with Health and Safety regulations.

Risk Assessment

Head teachers/ managers **must** ensure that suitable risk assessments are made in connection with driving activities, both at School premises and on the public highway. Employees who are required to drive for business purposes should have sight of the risk assessment and sign to accept that they have understood.

Risk assessments will also assist the head teacher to evaluate whether the employee requires additional training to enable him/her to carry out duties safely.

Following on from the risk assessments a Safe System of Work will be documented, and communicated to drivers, in order to ensure they follow the correct procedures.

The head teacher may decide that a driver should attend a driving assessment with an independent assessor where: -

- he/she has had two or more accidents/incidents in a rolling year whilst conducting Council business.
- the head teacher considers it appropriate in order to maintain safety standards.
- the head teacher has concerns about the employee regardless of whether an accident/incident record is recorded in the driver's name or not.

The result of any such assessment will be documented and communicated to the employee. If the assessment deems that the employee is not fit to conduct driving duties the manager should refer to Human Resources for advice.

Advice for Minibus Drivers

On journeys the items below should be divided between the escort and the driver, if appropriate, with the driver concentrating on those tasks which directly relate to driving the vehicle.

Before setting off (this list is not exhaustive):

- Allow sufficient time for the journey.
- Plan breaks. Avoid long spells of driving when pupils might get bored and restless.
- Conduct a pre-drive safety check before every journey.
- Never allow passengers to board until the vehicle is at a complete standstill and safely parked by an adjacent pavement or other traffic-free area.
- Ensure pupils are supervised when boarding vehicle, especially if using rear door. Plan which passengers will sit in the front seats and by the doors.
- Do not exceed the carrying capacity of the minibus.

- Make sure everyone is sitting, one to a seat and are using seat belts.
- When school bus signs are used, make sure they are in position only while pupils are being transported, and that they do not obstruct your vision.
- Ensure ambulant disabled passengers are seated safely and comfortably and passengers travelling in wheelchairs are safely restrained. Securely store wheelchairs not in use.
- Carry a complete list of passengers with appropriate EHCP/Care Plans and Individual Risk Assessments and First Aid/Medicines which can be readily found in event of an emergency.
- Comply with manufacturers instructions when using passenger lifts and other specialist equipment.
- Check that no bags or clothing are caught in doors, that all luggage is secure and gangways and exits are clear.
- Check all mirrors every time before moving off in case latecomers are approaching the vehicle.

During the journey

(this list is not exhaustive):

- Do not allow boisterous play of any kind.
- Try to keep pupils occupied give something to do beforehand.
- Enforce "No Smoking" and "No alcohol" rules.
- Do not allow passengers to operate doors.
- Approach each stop slowly and with care
- Use Hazard Warning Lights on school trips where pupils are boarding or leaving vehicle.
- If serious delay during journey, inform school so that information can be passed to parents.
- Pupils must not be left unaccompanied on the minibus.
If there is a risk of fire, evacuate vehicle and move occupants to a safe place.
- If you have to stop in an emergency or break down while on a motorway, only stop on the hard shoulder and as far away from the carriageway and passing traffic as possible.

Journey's end

(this list is not exhaustive):

- Supervise pupils when leaving vehicle, especially if using rear exit.
- Never allow passengers to leave until vehicle is at a complete standstill and safely parked.
- Always park so that passengers step onto the footway and not the road.
- Take care when reversing if pupils, staff, members of the public are nearby. If you have to reverse, get adult help in directing you.
- Do not leave pupils alone if no one has come to collect them.
- Report problems or incidents that occurred during the trip to the operator.

Driving Techniques and Fuel Efficiency

By using certain driving techniques and following a few simple rules, it is possible to reduce fuel consumption significantly. If the actions outlined below are followed, then drivers can play their part in reducing green house gases and save money.

- a) Avoid aggressive driving, fast acceleration and sharp braking.
- b) Drive steadily, with smooth gear changes and not allowing the vehicle to exceed 2000 rpm (Petrol) or 2500 rpm (Diesel) before changing up a gear.
- c) Avoid excessive idling. Even in the cold weather – new vehicles do not require time to warm up before moving from rest.
- d) Ensure tyres are properly inflated to the manufacturer's recommendations.
- e) Use cruise control where possible and keep to speed limits.
- f) Have the vehicle serviced regularly in accordance with the manufacturer's instructions. This will avoid the issue of blocked fuel and air filters.
- g) Make sure the fuel cap is fitted correctly and that it is tight on the neck of the fuel tank. This will avoid evaporation and spillage. Do not waste fuel by overfilling the fuel tank.
- h) Use the air conditioning sparingly or on the eco setting if it has one. Air conditioning significantly reduces vehicle fuel consumption.
- i) Plan your journey if possible, e.g., by trying to incorporate several journeys into one. Try to avoid congestion by altering timings or routes. Avoid unnecessary mileage.
- j) Report badly running engines and vehicles suspected of high fuel consumption to Line Manager.

Security

All possible precautions should be taken to avoid the vehicle, or its contents being stolen or tampered with. If a vehicle is left unattended then, it should be parked where it can be clearly seen, have the alarm set, with all doors locked and windows closed. Do not leave valuables or possessions on display.

Additional Guidance and Responsibilities

All vehicles used for School business must be "fit for purpose" and safety critical information must be given to all drivers before driving a vehicle for the first time. Appropriate schedules of vehicle maintenance must be put in place and adhered to.

When reversing, drivers where appropriate should engage the assistance of a Banksman to prevent avoidable accidents caused by blind spots.

Drivers have a duty to comply with legislation and regulations when driving vehicles on a public highway. This includes abiding by the Highway Code and Road Traffic Acts at all times. Failure to adhere may render the driver liable

for prosecution and possibly a penalty fine. Payment of such a fine will be the entire responsibility of the driver and not the School.

In the event of an accident or a likely delay to journey time or task completion, then the driver should contact his/ her head teacher/line manager as soon as possible and explain the circumstances and likely outcome. The manager should issue further instructions on how to deal with the situation to reach a satisfactory conclusion.

In poor weather conditions particularly in the winter, drivers should take extra care when driving:

- a) Watch your speed. In rain, snow and ice stopping distances are increased at any given speed.
- b) Use your headlights in fog.
- c) Make sure all lights are working and are clean before starting out.
- d) Use winter screen wash in the windscreen washer bottle

All employees who are required to drive for business purposes have a responsibility to ensure that they drive safely, maintain the vehicles in a roadworthy condition and make every effort to promote their safety and that of others for the benefit of the environment.

Driver Fatigue

These requirements are to ensure that drivers do not drive for excessive periods and that suitable arrangements are provided for the supervision of the passengers during the journey. It is recommended that the driver consults with the Appointed Person to discuss their journey plan prior to making their final arrangements.

For Primary and Special Schools there must always be a minimum of two adults on every journey. In Secondary Schools the Headteacher will carry out a risk assessment on the number of adults/drivers necessary to undertake the journey safely. The assessment should include consideration of the nature of the trip, age of passengers, experience of driver, and number of vehicles undertaking the journey. The driver must rest from driving duties as often as they feel necessary, and in any case a break is recommended after 2 to 2½ hours, depending on the availability of facilities. This should be investigated before the journey commences and added into the risk assessment.

Seat Belts/Restraints

Seat belt wearing is already compulsory in minibuses. If available, an appropriate child seat must be used in these vehicles, but operators are not required to provide them. 3-point seatbelts be fitted to new and existing minibuses owned by any establishment. Lap belts will not be permitted. Minibuses specifically used in Special Schools will be fitted with appropriate seat restraints specific to the needs of the pupils.

Other Safety Measures

Minibuses intended to take wheelchairs must be fitted with the appropriate anchorage points which must be used at all times. Such minibuses should also be fitted with a tailgate mechanism to reduce the manual handling requirements on the adults responsible for the pupils.

A travelling first aid kit and fire extinguisher should be maintained in the minibus at all times.

The storage of equipment and luggage needed for the journey should, wherever possible, be outside of the passenger area, i.e. on a roof rack or separate luggage compartment. Any luggage stored within the passenger area must be made as secure as is reasonably possible.

Appendix 1 – Exterior & Interior Checks

Exterior	OK	NOT OK
Oil level (once only at start of day)		
Coolant Level (once only at start of day)		
Wind screen washer fluid level (once only at start of day)		
Brake fluid level (once only at start of day)		
Windscreen and windows are clean and undamaged		
Wiper blades are clean and undamaged		
Lights, including brake lights and indicators, are clean and working		
Tyre pressures, including the spare (and inner tyres and tyres on a trailer, if applicable)		
Tyre tread, including the spare and inner tyres and tyres on the trailer, if applicable. At least 3.0mm across centre is recommended by ROSPA		
Any cuts and bulges		
Lift (if fitted) works safely		
Ramp (if fitted) fits and works safely		
Roofrack or trailer is properly fitted, and all luggage is securely held		
Doors open and close properly		
Trailer break lights and indicators work, if applicable		
Damage or sharp edges		

Interior	OK	NOT OK
Mirrors are correctly adjusted, clean and unobstructed		
Position and function/purpose of all the dashboard controls can be operated comfortably		
Check for pressure on brake pedal		
Wipers and washers are working properly		
Fuel level (and type of fuel: diesel or petrol)		
Seat belts, where fitted, are undamaged and working properly		
Location of wheel brace and jack		
Location and contents of first aid kit and fire extinguisher(s)		
Location of relevant paperwork (permit disc, insurance, road tax disc, MOT, emergency numbers and driving licence)		
Where applicable the minibus should carry the EHCP/Care Plans/Risk Assessments for all relevant passengers.		
Change for parking or the telephone (or mobile phone or phone card)		
Luggage is securely stowed and aisles and exits are clear.		
Damage or sharp edges.		

Appendix 2 – Declaration by Minibus Driver

Declaration:

I have read and understood the contents of the School's Minibus Guidance and have familiarised myself with the contents and have had sight of the relevant risk assessment(s):

Print Name:	
Signed:	
Payroll No:	
School/Location, Department or Area:	
Licence No:	
Date:	