

# Minibus Policy



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## 1 Introduction

- 1.1 Priestlands School minibuses will be used principally to support a wide range of educational and recreational activities for students enrolled at the school.
- 1.2 The minibuses may also be used to support staff activities.
- 1.3 The purpose of this policy is to facilitate the safe use of the vehicle.

## 2 Definition

- 2.1 A minibus is defined under the Road Vehicles (Construction and Use) Regulations 1986 as “a motor vehicle which is constructed or adapted to carry more than eight but no more than sixteen seated passengers, in addition to the driver”.

## 3 Ownership

- 3.1 Priestlands School owns two minibuses are 3.5 tonne in weight, carry sixteen seated passengers and require any driver to hold a D1 on a driving license.
- 3.2 The third minibus purchase in 2018 is a “light” version and can be driven by anyone who has a B licence provided the following restrictions are met.
  - The driver has held a category B licence for at least 2 years and is over 21 years old.
  - no payment is made or consideration for driving the vehicle other than out-of-pocket expenses
  - the minibus has a gross weight not exceeding 3.5 tonnes (4.25 tonnes including any specialised equipment for carriage of disabled passengers)

## 4 Purchasing

- 1.1 If the school proposes to purchase any additional vehicle the Business Manager will ensure that it is suitable for the purpose of transporting staff and students safely. The following points will be considered:
  - Whether retractable or harness type seat belts are fitted as standard (if vehicle is not new, whether suitable anchorage points exist to enable the installation of retractable or harness type seat belts). Lap belts are considered to be the least appropriate type of seat belt for use in minibuses.
  - Whether the seats are forward or rear facing (side facing bench seats are NOT considered suitable).
  - Whether the vehicle is mechanically and structurally sound. For second-hand vehicles, arrangements should be made for a full inspection of the vehicle to be carried out either by the AA or RAC. A current MOT certificate is no guarantee of the mechanical or structural soundness of a vehicle.
  - Whether the vehicle might at any time be used to transport children in wheelchairs.
  - Whether the vehicle is to be used for overseas trips, in which case a tachograph must be fitted

## 5 Insurance

- 5.1 The Business Manager will ensure that each minibus is suitably insured on a fully comprehensive basis.
- 5.2 Cover will be restricted to employees or individuals who are driving with the school’s permission and in connection with school activities. They must meet the following criteria:

- have held a full UK driving licence for at least two years
  - have D1 on their licence for the 2005 and 2012 bus and B for the 2018 bus
  - have successfully passed Midas training including for the “light” minibus
- 5.3 All members of staff wishing to drive the minibus are required to inform the Business Manager if they have any endorsements or penalty points on their licence. *What happens if a member of staff does have endorsements? It would depend entirely on insurance. Would need guidance from companies so need to consider and seek advice first.*
- 5.4 Similarly, members of staff wishing to drive the minibus must advise the Business Manager of any reportable medical conditions in order for the school to establish whether the insurance is valid. The list of medical conditions is extensive and can be found at <https://www.gov.uk/health-conditions-and-driving>
- 5.5 Any unauthorised journey made in the school’s minibus may render the driver liable to disciplinary proceedings. Should the incident involve that driver in a road accident, then the school’s insurers may well refuse indemnity under the policy, leaving the driver liable not only for costs, but also open to prosecution for driving without insurance.

## 6 Conditions of D1

- 6.1 All drivers who obtained entitlement to Group 1, category B (motor car) before 1 January 1997 have the additional entitlement to category D1 (Group 2). Holders of D1 entitlement retain the entitlement until their licence expires or it is medically revoked. On subsequent renewal the higher medical standards applicable to Group 2 will apply.
- 6.2 Group 2 licences for minibuses (category D) are normally issued at age 21 years and are valid until age 45 years. They are renewable thereafter every five years to age 65 years unless restricted to a shorter period for medical reasons. From age 65 years, Group 2 licences are renewable annually without upper age limit. All Group 2 licence applications must be accompanied by a completed medical application form D4

## 7 Recovery

- 7.1 The Business Manager will ensure that school minibuses are covered by membership of a recovery scheme. In the event of a breakdown, the scheme must provide for the return of the vehicle, staff and students to school.
- 7.2 Priestlands School is currently covered for three minibuses through a breakdown policy with the RAC. Tyre problems and punctures are covered through a policy with ATS Euromaster

## 8 Registration, Tax, MOT and Licence

- 8.1 The Business Manager will ensure:
- the minibus is registered in the school name
  - the vehicle is taxed annually using the on line system
  - the vehicle is in receipt of an in-date MOT which is required from the date of the vehicle’s first birthday
  - the vehicle is displaying a Standard Bus Permit

## 9 Vehicle Requirements

- 9.1 The Business Manager will ensure a system is in place to ensure that vehicle checks are made on

a regular basis. Bi-weekly checks will be carried out by the Site Team and should include:

- oil level
- water level
- screen wash
- windscreen wipers
- interior and exterior checked for damage
- tyre damage
- lights
- brake fluid level (visual inspection)
- clutch fluid level (visual inspection)
- power steering fluid level (visual inspection)
- tyre pressures
- wheel nuts (visual inspection)
- First aid kit in place and fire extinguisher not been used
- Emergency escape hammer in place for the 2012 bus only

9.2 Drivers of school minibuses will carry out the following checks before using the vehicle:

- fuel levels
- tyre damage
- brake lights
- mirrors
- windscreen wipers
- indicators working
- first aid kit in place and topped up
- tax disc displayed
- Section 19 bus permit disc displayed
- Passengers are wearing seat belts

9.3 **The use of hand-held mobile telephones whilst driving is strictly prohibited**

## 10 Equipment to be carried in the vehicle

10.1 All Priestlands minibuses must carry the following:

- a first aid kit
- at least one fire extinguisher which complies with BS5423. These will either contain:
  - Water with a minimum test fire rating of 8A or,
  - Foam with a minimum test fire rating of 8A or 21B

## 11 Fuel Cans

11.1 The carrying of spare fuel cans inside the vehicle is not acceptable.

## 12 Documents

12.1 Photocopies of the following documents must be kept in the vehicle:

- Current MOT certificate
- Insurance certificate
- Registration documents
- The tax disc and Section 19 bus permit should be clearly displayed in the bottom left hand corner of the windscreen.

# Minibus Policy

## Appendix 1: Annual Staff Declaration and Check List

Driver's Name ..... Date of Birth .....

Driving Licence Number ..... Date of expiry .....

Date driving test passed .....

Date of MiDAS Assessment test taken .....

Details of any illness or disease which may affect your driving capabilities and where you have been advised by a medical practitioner to discontinue driving (full list available at <https://www.gov.uk/health-conditions-and-driving>)

.....  
.....

Details of any current endorsements or penalty points on your license

.....  
.....

Have you ever been convicted of reckless driving or offences involving drinks or drugs? YES / NO  
If yes, please provide full details

.....  
.....

I have read the Minibus Policy and minibus check list (overleaf) and understand that it is the driver's responsibility to ensure that the vehicle is in a roadworthy condition and will report in writing to the Business Manager any faults or incidents that occur. I also understand that I must inform the Headteacher/Business Manager if I receive any endorsements or if I am advised to stop driving by a medical practitioner.

I certify that the information provided is correct and agree to provide the Headteacher/Business Manager with details of any endorsements to my licence which I receive from the date given below.

Signed ..... Date .....

Driver's Licence seen by ..... on ..... (date)

## ADVICE TO MINIBUS DRIVERS

### Booking the Minibus

Staff must book the minibus through the front office who maintain the minibus diary for all three vehicles.

### Minibus Log

All staff using the minibus must ensure the mileage log is completed for every journey.

### Insurance

Priestlands School insures its vehicles through Zurich Insurance under **Policy Number KSC-242045-9173**

### Staff entitled to drive

All three minibuses are fully comprehensively insured for any person to drive provided:-

- they are over 21 years of age,
- have held a full clean licence for at least two years
- have carried out and passed a MiDAS test
- have not been advised to refrain from driving by a medical practitioner
- the driver must be employed by the school and is driving with the permission of the school
- In order to drive the 2005 and 2012 minibuses, there is an additional requirement for the driver to have D1 category on their licence. The 2018 bus only requires B category

Where possible, the minibus will be provided with sufficient fuel for the trip, but if it is necessary to purchase fuel staff must either use the fuel card provided in the plastic wallets or obtain a proper VAT receipt to facilitate the recovery of the cost of the fuel. Apart from normal driving regulations, the minibus is restricted to 50mph except on motorways where the current maximum is allowed.

### Minibus Checklist

**In law, the driver is responsible for the vehicle being roadworthy.**

The driver is responsible for undertaking the following checks before EVERY JOURNEY.

- fuel levels
- tyre damage
- brakes
- mirrors
- windscreen wipers
- lights
- first aid kit
- tax disc displayed
- Section 19 bus permit disc displayed
- Passengers are wearing seat belts

# Minibus Policy

## Appendix 2: Background Legal Information

### General advice to the driver

- Observe speed limits (see Appendix 2)
- Be clear about the route to be followed
- If the minibus is not full to capacity with passengers, ensure that the rear seats of the vehicle are left unoccupied
- Always park so that students alight on the footway and not the carriageway
- If students have to exit by the rear of the minibus, ensure that an adult supervises this operation
- Instances of poor behaviour must not be tolerated. Deal firmly with students who misbehave so that they are left in no doubt as to the unacceptable nature of their behaviour. Log misbehaviour when you return to school. The Headteacher should be informed about any serious incidents.
- Ensure that you know how to use the fire extinguisher
- Ensure that there is no smoking in the vehicle
- Ensure that no alcohol is drunk by anyone involved before or during the journey.
- You are reminded that you cannot drive when under the influence of alcohol. You should be especially careful if you have been drinking the previous night.

### Speed limits

Minibus drivers will ensure that they strictly adhere to speed limit for minibuses not requiring PSV licences. The speed limits are as follows:

- |                     |  |
|---------------------|--|
| ▪ Motorways:        | 60mph maximum }  |
| ▪ Dual Carriageways | 60mph maximum } if not subject to lower statutory speed limits |
| ▪ other roads       | 50mph maximum }  |

### Minibus Permits

Under the terms of the Public Passenger Vehicles Act 1981, if passengers are carried for hire or reward, then a vehicle is treated as a public service vehicle. It is an offence to operate it without a Public Service Vehicle (PSV) Operators Licence and drivers must hold a PSV Drivers licence.

The issue of a minibus permit under the Transport Act 1985 modifies the above requirements in relation to vehicles used for certain purposes. This enables a minibus to be used by certain bodies, including schools and youth organizations, without the requirement to hold the PSV licence.

The main advantage of operating a minibus under a permit is that the passengers may be charged for their use of the vehicle, provided that the vehicle is not being used for the carrying of members of the general public, nor with a view to profit, or to an activity which is carried on with a view to profit.

There is no definition within legislation which defines “profit”. However, a non-profit charge is likely to cover all vehicles running costs, including depreciation. It has also been generally assumed that it will also cover direct administrative costs connected with a particular trip, and volunteer’s expenses but not the wages of any staff involved.

### Forms of permit

Every permit describes the condition to be complied with when a vehicle is used under a permit and the class of persons who may be carried in the vehicle as passengers when it is being used under the permit by reference to the following letter code:

- Class A Members of the body holding the permit
- Class B Persons whom the body exists to benefit and persons assisting them
- Class C Persons who are physically or mentally handicapped or seriously ill, and persons assisting them
- Class D Pupils or students of any school, college, university or other educational establishment, and staff and other helpers accompanying them.
- Class E Persons living within a geographically defined local community or group of such communities, whose public transport needs are not met other than by virtue of services provided by the body holding the permit.
- Class F Other class of persons specified on the permit.

**The permit held by Priestlands School covers Class A and D.**

### Driving Time

There are no statutory regulations concerning driving time and rest periods for drivers of minibuses covered by permits issued under the Transport Act 1985. It is also very difficult to provide precise guidelines which would cover every eventuality. However, a number of factors are relevant when considering appropriate driving time and rest periods for drivers. These include:

- The age and experience of the driver concerned
- The nature and length of the journey to be undertaken (driving in the local area is very different from driving on a motorway, or in an unfamiliar environment).
- The timing of the journey (a journey undertaken during daylight hours is very different to a journey undertaken at the end of the day in darkness).
- The number of hours already worked by the driver prior to the start of the journey.
- The number, ages and level of responsibility of the passengers (a minibus full to capacity with excited children can be very distracting to the driver).
- Taking regular short breaks during the course of long journeys