



**Inspiring Futures
Through Learning**

Inspiring Futures Through Learning

Minibus Policy

April 2021 to April 2023

At Inspiring Futures through Learning, we are driven by our pursuit of excellence every day. We have high expectations of learning, behaviour and respect for every member of our community. We create independent, articulate thinkers and learners who have confidence in, not only their individual ambitions, but also those of the Academy and The Trust as a whole. We have collaboration at the heart of everything we do and our vision is to nurture exciting, innovative, outstanding Academies who embrace change and provide a world-class education for all it serves.

***Including all IFtL Schools, Milton Keynes Teaching School Alliance and Two Mile Ash Initial Teaching Training Partnership**

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| Policy name: | | |
| Version: | | V3 |
| Date relevant from: | | April 2021 |
| Date to be reviewed: | | April 2023 <i>This policy will be reviewed every two years unless legislation dictates otherwise. Recent changes in Legislation will need to be read and used to review this Policy.</i> |
| Role of reviewer: | | IFtL Head of Operations |
| Statutory (Y/N): | | Y |
| Published on website*: | | 3C |

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| Policy level**: | 1 |
| Relevant to: | All employees through all IFtL schools and departments |
| Bodies consulted: | |
| Approved by: | IFtL Finance and Resources Committee |
| Approval date: | 4th May 2021 |

Key:

*** Publication on website:**

| IFtL website | | School website | |
|--------------|-----------------------|----------------|-----------------------|
| 1 | Statutory publication | A | Statutory publication |
| 2 | Good practice | B | Good practice |
| 3 | Not required | C | Not required |

**** Policy level:**

1. Trust wide:
 - This one policy is relevant to everyone and consistently applied across all schools and Trust departments with no variations.
 - o *Approved by the IFtL Board of Trustees.*
2. Trust core values:
 - This policy defines the values to be incorporated fully in all other policies on this subject across all schools and Trust departments. This policy should therefore form the basis of a localised school / department policy that in addition contains relevant information, procedures and / or processes contextualised to that school / department.
 - o *Approved by the IFtL Board of Trustees as a Trust Core Values policy.*
 - o *Approved by school / department governance bodies as a relevantly contextualised school / department policy.*
3. School / department policies
 - These are defined independently by schools / departments as appropriate
 - o *Approved by school / department governance bodies.*

Purpose

The purpose of this document is to set a clear set of procedures that will allow individual schools and academies to ensure that they are complying with the law and following best practice.

Scope

This document is applicable in all schools and academies within the IFtL MAT as well as within the IFtL offices, the MKTSA Teaching School and any other buildings within the control of IFtL.

Introduction

IFtL's policy and procedures are based on industry standards including the Department for Education and RoSPA best practice and guidance documents.

Principals, drivers, escorts and supervisors need to be aware of this policy and any relevant locally set procedures which outline their responsibilities for the safe use of minibuses and transportation of passengers for the Trust.

This policy sets out requirements for minibus and vehicle use and should be read in conjunction with [RoSPA's 'Minibus Safety – A Code of Practice'](#) which contains additional information and guidance. This policy can be used by individual schools or academies or it may be used as a guidance document for schools and academies producing their own documents. Individual academies may have their own standards which are governed by service requirements and these may continue to be used but must not be of a lesser standard than those contained within this policy and the associated code of practice.

Minibuses can play a vital role in transporting students, volunteers and staff. The Trust endeavours to ensure everyone can do this safely through good management practice and clear practical guidance.

Whilst we aim to prevent accidents, should minibuses be involved in accidents the number of casualties can be higher than with other forms of transport. Therefore, it is essential that staff are aware of their responsibilities and act upon them to reduce risks where required.

Should academies wish to lend or hire their vehicles, they should ensure that adequate comprehensive insurance cover is in place for the vehicle by the hirer and that all standard procedures for use of the vehicle are carried out by the person in charge of the vehicle. Vehicles under the section 19 permit scheme may not be used by anyone other than the organisation named on the permit unless the borrowing organisation holds their own section 19 permit.

If lending or hiring vehicles, consideration should also be given to any mileage restrictions imposed by the lease agreement (if applicable) and how the hire may impact on this.

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When applying this policy, local transport, activities and events risk assessments should also be referred to.

Managing your minibus

All minibus operators have a duty under health and safety law to take all reasonable precautions to ensure that they are operated safely and are maintained in a safe condition. Driving a minibus on the road in a condition that is likely to cause danger to passengers or other road users is a criminal offence.

Suitable risk assessments must be in place, journeys must be planned to ensure that they are safe, drivers must be competent and fit to drive and the vehicle must be fit for purpose and in safe condition.

The management system must be monitored to ensure that all requirements are complied with and adequate records must be kept.

A suitable and sufficient risk assessment for operation of the minibus must be completed by a competent person. This must be recorded, regularly reviewed and communicated to all persons who are responsible for driving, maintaining or are otherwise involved with the operation of the minibus.

Risk assessments should include processes relating to training and monitoring of drivers, maintenance regimes as well as general operational requirements.

Specific risk assessments should be undertaken for journeys and these should form part of your trips and visits procedures. Some regular or frequent journeys can use a standardised risk assessment, but this must be checked prior to each trip to ensure that procedures are followed, and should be reviewed periodically to ensure that it is still appropriate.

Legal Requirements

Every minibus must:

- Only be driven by drivers who are legally entitled, and properly insured, to drive the minibus
- Be well maintained and road legal
- Have a valid MoT certificate (annually from the vehicle's first birthday) and insurance
- Display a valid permit disc, if operating under a section 19 or section 22 permit scheme

Schools usually operate under section 19 permits meaning that they are not required to fully comply with Public Service Vehicle (PSV) licensing.

In order to comply with this, the following conditions must be met;

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- A) minibus must only be used by the organisation to whom the permit has been granted, or by affiliated/associate members of that organisation; **and**
- B) minibus must not be used by members of the general public, except as 'a' above; **and**
- C) minibus must not be operated for profit, or for an activity which in itself is carried out for profit; **and**
- D) minibus must meet the requirements for initial fitness as defined by the Construction and Use Regulations; **and**
- E) permit disc must be displayed on the nearside of the windscreen, visible from the outside of the vehicle.

Section 19 permits are usually only available to organisations that are operated on a 'not for profit' basis where passengers are not charged for transport. This can be a bit of a grey area and further reading on the subject is listed at the end of this document.

Roles and Responsibilities

Managers/Supervisors/Headteachers

Managers of minibuses should maintain a register of drivers and are required to perform driving licence checks at least annually to ensure that they are still entitled to drive the minibus.

Managers are also responsible for the daily operation and use of the minibus. These roles can be delegated to a designated person who will then assume responsibility for the operation, maintenance and care of the vehicle. Details of this nominated person should be recorded in the minibus log.

Managers, or their designates, must ensure that all persons with any responsibilities for the minibus are aware of all the policies and procedures associated with its use, that all vehicles comply with the road traffic act and are roadworthy and that all standards are met and maintained.

Drivers

It is important that any minibus driver has the appropriate entitlement (D1 in most cases), training, experience and understanding of the role that they are providing.

It is strongly recommended that all minibus drivers have undertaken MiDAS minibus driver training and that this training is refreshed at the intervals specified. This should be at least every four years or more often if drivers have received penalty points, been involved in an accident where they were at fault or if complaints have been received. MiDAS training is delivered by CTAUK on a cascade approach. CTA provide training for Driver/Assessors who can then deliver training to other drivers within their organisation.

Drivers are expected to comply with the law whilst driving on behalf of the trust or its schools. The use of mobile telephones while driving has been illegal since 2003. Recent changes to the law have

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increased the penalties for using hand held devices while driving. Such devices must never be used while in charge of a vehicle, even if it is stationary at traffic lights or in traffic. This includes the use of your mobile phone as a sat-nav. (devices must be fixed to a windscreen or dashboard so that it is in clear view whilst driving).

While the use of hands free kits is currently legal in the UK, the police still have the power to penalise hands free users if they feel that the user is distracted and not in full control of their vehicle.

Any nominated minibis drivers must inform their line manager of any convictions (including penalty points) or periods of disqualification immediately. If managers are notified that an individual has been disqualified from driving due to a motoring offence, they must relieve the person of all driving duties with immediate effect and seek advice from their HR department on the most appropriate course of action.

Drivers must also inform their line manager immediately, of any medical condition that may affect their ability to drive.

Escorts/Passenger Supervisors

Escorts and passenger supervisors are required to manage the behaviour of passengers on the minibis in order to manage the distractions that may otherwise be experienced by the driver.

It is recommended that an escort/supervisor accompanies the driver in all circumstances.

Maintenance

Minibuses are classed as public service vehicles and as such are subject to more stringent maintenance schedules than private vehicles.

An annual MOT must be undertaken every year starting at the first anniversary of its registration date.

A pre-set schedule of inspections should be set and this must be adhered to.

Some providers will sell inspection schedules at 13 or 17 week intervals. However, in order to comply with the requirements of the section 19 permit, maintenance checks should be no longer than 10 weeks apart.

Under no circumstances should a vehicle be in use for more than 10 weeks without having undergone a safety check. These checks are usually carried out by a competent and qualified engineer.

A driver's pre-use check must be carried out every day that the bus is in use. It is recommended that, should the vehicle be used multiple times in one day, a separate check is made prior to each use, particularly if changing drivers.

A system of reporting and recording faults that may affect the roadworthiness of the vehicle must be in place. There must also be a system for recording any remedial works undertaken. These faults must be put right before the vehicle is next used.

A record of **all** safety checks should be kept and this should be retained for at least 15 months.



Minibus log

A minibus log/folder should be compiled for each vehicle and kept inside the vehicle at all times so that is available for inspection should the need arise.

The log should include details of who is authorised to drive the vehicle and the expiry date of their training, copies of all policies and procedures relating to the use of the vehicle, the risk assessment for the use of the minibus, copies of routine inspections, copies of the driver pre-use inspection sheets (and blanks for drivers to fill out prior to vehicle use), a copy of the insurance certificate and a copy of the vehicle MOT.

All remedial work carried out should also be documented within this log.

Accidents and Incidents

Where employees driving a school minibus are involved in road traffic accidents or incidents which result in damage to vehicles, loss or damage to property or persons, they must report the details to their line manager or Headteacher as soon as possible.

This includes near-miss incidents as the correct action taken following a near-miss can often prevent a later incident from happening.

Further Reading (links embedded in electronic document – please refer to the electronic copy if you have been given a paper copy)

[RoSPA: Minibus Safety: A code of practice](#)

[Driving school minibuses: advice for schools and local authorities” \(Department for Transport and Department for Education, November 2014\)](#)

[Planning and Leading Visits and Adventurous Activities \(RoSPA, 2013\)](#)

[Driving at Work: Managing Work-Related Safety \(HSE, 2014\)](#)

[A guide to maintaining roadworthiness in passenger carrying vehicles \(DVSA 2014\)](#)

[PSV driver’s daily walkaround check \(guidance\)](#)

[Section 19 & 22 permits](#)

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