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School minibuses — a safety guide

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This leaflet outlines the key legal requirements on drivers and operators of school minibuses and describes the support teachers should be given before they agree to drive a school minibus.

SCHOOL MINIBUSES

Minibuses are a valuable asset to those schools which are fortunate enough to own or have use of one. They allow pupils access to the many benefits of out-of-school activities. Driving a minibus is not, however, a task to be undertaken lightly – the safety of pupils and staff should always be the first consideration.

You cannot be required to drive a school minibus. If you volunteer to do so, however, you should take careful note of the advice in this leaflet.

THE DRIVER'S RESPONSIBILITIES

If you volunteer to drive a school minibus you are personally responsible for its roadworthiness. If any defects are found by the police, it is you who will be fined, points on your licence, or even prosecuted. You would also be responsible for any road traffic offences committed. You should make sure that the minibus insurance policy covers:

- all the uses to which the minibus is put;
- the total number of passengers allowed and the total weight; and
- all the people allowed to drive the minibus.

Comprehensive cover is required to ensure that you are not liable for any damage which you may cause to the minibus itself, as well as to other vehicles.

TRAINING FOR MINIBUS DRIVERS

You should agree to drive a minibus only if you have received proper training. Even if you have received such training, however, you cannot be required to drive a minibus. Driver training should normally include:

- familiarisation with the vehicle;
- simple vehicle checks to be conducted before each journey (see next section and checklist);
- emergency procedures;
- passenger care;
- use of seatbelts/harnesses etc;
- use of passenger lift, if there is one;
- loading/unloading and securing of wheelchairs;
- journey planning; and
- road assessment on the types of road the driver is likely to use, for example, motorways, dual carriageways, urban/rural roads etc.

Practice circuits around the school playground clearly do not constitute proper training. Many local education authorities provide accredited training schemes for minibus drivers – contact your NUT division secretary, health and safety adviser or your NUT regional or Wales Office for details.

SAFETY CHECKS ON SCHOOL MINIBUSES

If you drive a minibus you are personally responsible for any defects it may have while it is on the road. For this reason it is essential that there is a proper vehicle maintenance system in operation and that certain basic checks are made before each journey begins.

Unless you are absolutely confident that a designated member of staff has undertaken an adequate pre-drive check you should do it yourself. The attached checklist lists the checks that should be made.

If your school does not provide you with something similar, you may wish to photocopy the form included with this leaflet and use it to record your check.

The regular vehicle maintenance system should monitor more detailed mechanical matters such as tyre pressure, coolant level and brake fluid level so that you can be confident that these are safe before you set off. If there appear to be any faults which might affect the passengers' safety, then the vehicle should not be used until they are all remedied. According to the Belt Up School Kids (BUSK) campaign, the commonest fault affecting minibuses, particularly twin rear wheel minibuses, is under-inflated tyres. Where access to rear tyre valves is difficult, the fitting of extension valves is a cheap and effective solution.

PERMIT REQUIREMENTS FOR SCHOOL MINIBUSES

Minibus and Community Bus Permits ("Section 19 permits") are issued to organisations concerned with education, social welfare or other activities of benefit to the community. They allow certain organisations, including schools, to make a charge without having to comply with the full public service vehicle operator requirements and without the need for the driver to have a PCV (Category D1 or D) entitlement.

Schools must hold a 'Section 19 permit' if minibus journeys are funded to any extent by outside sources such as parents or parent teacher associations. Section 19 permits can be obtained from your local Traffic Area Network Office. Contact details for Traffic Area Network Offices can be found on the Vehicle and Operator Services Agency website: www.vosa.gov.uk. Teachers may be held personally liable if they drive a minibus without such a permit where one is required. Only non-profit making charges, such as for the recovery of running costs including depreciation, may be made under a Section 19 permit.

The permit arrangements apply only in the UK. You cannot take a permit minibus abroad, if it is used for hire or reward, unless you hold either PCV D1 or D entitlement. It should also be noted that when a minibus is taken abroad, a tachograph must be fitted and used throughout the journey and you must observe EC drivers' hours regulations. More detailed information about driving a minibus abroad is contained in the NUT Briefing 'Safety on School Minibuses', available from the NUT website at www.teachers.org.uk.

DRIVING LICENCE REQUIREMENTS FOR MINIBUS DRIVERS

If you volunteer to drive a minibus you must, by law:

- ensure a Section 19 permit has been obtained if one is needed;
- hold the appropriate full car driving licence to do so;
- be at least 21 years old;
- be insured to drive the vehicle in question;
- not drive a minibus with more than 16 passenger seats; and
- have held a full driving licence for at least two years when driving a minibus under a Section 19 permit.

You must comply with any additional requirements imposed by your local education authority, school or insurers. These may relate in particular to training, age or length of qualification to drive.

If you passed your car driving test before 1 January 1997, you automatically gained a licence with Category B and D1 entitlement, or Groups A and B on older licences, qualifying you to drive minibuses as well as private cars.

- If you pass the car driving test on after 1 January 1997, you no longer automatically gain a licence with Category D1 minibus entitlement. You will need to pass the additional Category D1 test to drive minibuses, together with the standard theory test and a medical examination. If you are willing to do this, your school or LEA should make all the necessary arrangements and meet the costs of the training, test and medical report. Paid time off should be given for all these matters.

NUMBER OF DRIVERS

There is no legal requirement for a second driver but the NUT recommends that, other than on the shortest journeys, a second trained driver should accompany every teacher driving a minibus. This will help cover emergency situations and prevent tiredness on long journeys. Even on short journeys, a second driver, acting as a supervisor, is likely to be required. Exceptions might be where a teacher is driving a group of post-16 students for a short distance.

If there are two trained drivers available and only one is a teacher, it is recommended that, for short journeys, the non-teacher drives and the teacher supervises. A second driver, acting as supervisor, will help to ensure that passengers are well behaved and that they do not distract the driver and will also assist in the event of any emergency. Insurance policies may also specify a requirement for a supervisor.

It is also recommended that a mobile telephone be carried in all minibuses to cover emergency situations. This must not, however, be used by the driver while driving the vehicle.

TRAVELLING WITH SEN PUPILS

Particular consideration needs to be given to minibus journeys involving pupils with special needs. The minibus itself must be suitable for the needs of all passengers, including those with disabilities.

As a general rule, it is recommended that journeys involving groups of special needs children should have a minimum of two staff, in addition to the driver. This should help ensure that the driver can drive safely, without distraction. A risk assessment undertaken in advance of the the trip will enable a decision on staffing levels to be made.

The children may have a wide range of needs which could include physical, mental, emotional, medical, behavioural and learning difficulties. Crisis situations, including epileptic fits, challenging behaviour, breathing difficulties and tantrums are just as likely to occur on the minibus as anywhere else. Consideration should also be given to the possibility that children may undo their seatbelts and attempt to escape out of the nearest exit. To avoid this happening, children can be sat in window seats so as to delay any movement towards the aisle and a member of staff can sit next to the exit.

Passengers in wheelchairs should be afforded the same level of safety as all other passengers. Ensuring that this is the case is equally important when using a hired minibus. All drivers and escorts should be trained in the care of passengers in wheelchairs, including use of passenger lifts and ramps and, where the wheelchair user needs to remain in the wheelchair for the journey, securing the wheelchair.

SEATBELTS IN MINIBUSES

Minibuses carrying three or more children, aged at least 3 but less than 16 years, on organised trips or to and from school are required to be fitted with forward facing seats and seatbelts. These requirements also apply to coaches but not to buses.

The law requires either 2-point (lap) or 3-point (lap and diagonal) belts to be fitted. 3-point belts provide better protection in the event of an accident than 2-point belts, although 2-point belts are better than no belts at all.

The “3 for 2” concession, which allowed three children under the age of 14 to share a double seat in a minibus or coach, no longer applies where seats are fitted with belts. Where seatbelts are fitted, each child must occupy one seat.

Seatbelts should be worn at all times by pupils and staff. There is a legal requirement that seatbelts are worn in minibuses, other than in extremely large minibuses which are unlikely to be available to schools. The driver has the legal responsibility for enforcing this requirement and ensuring that seatbelts are worn, except in the case of adults and children aged 14 and over who are personally responsible for the wearing of their seatbelt.

INSTALLING SEATBELTS TO EXISTING MINIBUSES

Fitting belts to minibuses which lack them is possible in some cases but can be expensive due to the need for strong anchorage points for the belts and for strong seats that are securely fixed to the chassis. Many modern vehicles, however, already have seatbelt anchorages allowing fitting of seatbelts to be undertaken, with reference to the manufacturers, with a standard kit.

It is clearly preferable for schools to purchase minibuses with seatbelts fitted at the time of manufacture. Where seatbelt fitting is required and seatbelt anchorages are not provided, the work must be carried out by a reputable company. The vehicle manufacturer can inform schools whether minibuses can be adapted for seatbelts and, if so, recommend an authorised agent to carry out the work.

WORKLOAD AND SAFETY CONSIDERATIONS

The NUT has devoted considerable effort to its campaigns to reduce the pressures and stresses of excessive workload and administrative burdens

upon teachers. Driving a school minibus contributes to these pressures. In addition, the growing volume of traffic on Britain's roads means that the pressures of driving itself are increasing all the time.

There are obvious safety issues with regard to travelling in school minibuses. In particular, if you have been involved either in supervising a visit or in teaching throughout the day, you should consider very carefully whether you are sufficiently alert to drive a minibus. Tired drivers are much much more likely to have an accident. You should always observe the Highway Code recommendation of at least a 15 minute break after every 2 hours of driving. Drivers who drive for more than 2 hours after a day's work are significantly more likely to be involved in an accident.

FURTHER INFORMATION

Further advice and guidance on all of the above is available from the DVLA and Department of Transport; and from the appropriate NUT regional office or the Wales Office.

Any teachers who are in doubt about their licensing position can telephone Driver and Vehicle Licensing Agency's Customer Enquiries whose staff will be able to help. The telephone number is **0870 240 0009**. Lines are open from 8.15 a.m. to 4.30 p.m., Monday to Friday. An interactive VOICE system is in operation but it is possible to speak to an operator during office hours.

NUT guidance on school trips is available from the health and safety section of the NUT website at www.teachers.org.uk.

MINIBUS DRIVER CHECKLIST.

Name of Driver:

Date of Journey:

Time check carried out:

	YES	NO	DEFECT REPORTED TO:
Fuel level OK?			
Oil level OK?			
Windscreen wipers/ washers working?			
Lights/brake lights working?			
Indicators working?			
Tyres in good condition?			
Brakes (hand and pedal) working?			
Fully stocked first aid kit?			
Fire extinguisher?			
Paperwork (insurance, driving licence)?			
Permit displayed?			
Seatbelts working properly?			
Mobile phone available?			

**Return form to member of staff responsible
for minibus maintenance.**



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