



Lanesend Primary School

Transporting Children Policy

Safeguarding and Welfare Policy

Signed: **Date:**
(Headteacher)

Signed: **Date:**
(Chair of Governors)

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Reviewed By: Headteacher, Family Wellbeing Team and
Child-Centred Group

Lanesend Primary Transporting Children Policy

Introduction

The issue of transporting children in cars, particularly members of staffs own cars is one which causes concern to some staff. It is however a necessary part of the work that some staff carry out. These guidelines aim to give advice to those staff who undertake this task in order to keep themselves and the children and their families safe.

Guiding Principles

The guiding principle should be that transporting children in staff cars should be the exception to the rule rather than the norm unless it is an accepted part of a member of staff's role and included in their job description. Any journeys undertaken should always be planned, absolutely necessary and must be authorised by the Headteacher or the Deputy Headteacher.

In certain circumstances children may need to be transported in an emergency situation where the Headteacher cannot be contacted to approve this. It is anticipated that these by the nature of them being emergencies would be very rare. This guidance however, still needs to be followed to ensure the safety of staff and young people.

A range of alternative options should always be considered first when a child needs to be transported including contacting the families in order for them or authorised persons to transport the child.

Where possible, two members of staff will always travel with a child. However, the Headteacher can authorise a single adult to transport a child if necessary.

Drivers and their Vehicles

Drivers are responsible for their own vehicles roadworthiness and appropriateness for the task to be undertaken and their fitness to drive. The Headteacher and School Development Manager are responsible for monitoring and verifying this. All staff who drive children must ensure that they:

- Have an appropriate valid driving license
- Are insured for the journey (Business Use)
- Have a valid MOT certificate
- Have valid Road Tax
- Have checked the vehicle is in a roadworthy condition
- Are not excessively tired, fatigued or under the influence of alcohol or drugs.

- Meet minimum eyesight standards for driving. If they need to wear glasses or contact lenses to meet minimum standards, these must be worn at all times.
- Have no medical condition including the taking of medication or infirmity that may affect their ability to drive safely.

Additionally all drivers should ensure that they have regular eyesight tests to ensure that their eyesight remains within minimum standards for driving. Drivers should also ensure that if their health changes and this could affect their ability to drive then they inform the Headteacher and School Development Manager of this immediately. Drivers are also requested to notify the Headteacher of any driving convictions, endorsements or disqualifications immediately.

The Role of the Headteacher

The Headteacher must ensure that the staff being asked to transport children have the necessary competence and experience. Whilst defining driver competence is always a subjective decision, drivers will not normally be deemed competent unless they have at least 1 years driving experience after passing their driving test.

The School Development Manager should check the documentation of their drivers and vehicles before they have staff driving for them in the first instance and then periodically.

Children

Before children are transported in staff cars the need and reasons for this method of transportation should be clearly established. Once this has been established a full picture of the needs of the child (including physical, emotional, behavioural and medical) and the risks that this may present to them or the staff involved when transporting them needs to be established. This should involve gathering and sharing information with all agencies involved with supporting the child. This information is required to inform specific risk assessment for transporting the child. The information will need to be reviewed regularly to ensure it remains valid.

Risk Assessment

A risk assessment will be produced for transporting based on their circumstances and individual needs.

Child locks should be used when transporting children as a control measure.

Travelling

All staff who transport children as part of their role should have access to a mobile phone or the appropriate means of communication.

The law makes drivers responsible for ensuring those under 14 years of age wear an appropriate seatbelt or child restraint. However, where staff are transporting children as part of their job then they will at all times be responsible for ensuring the children they are transporting are wearing a suitable restraint irrespective of their age. As there are very clear dangers to passengers and drivers if restraints are not worn then if a driver becomes aware of this they should stop the journey as soon as it is safe to do so. If the passenger continues to refuse to wear a seatbelt/restraint the journey is ceased until a solution is found.

When staff are transporting children they should ensure that the correct type of restraint is used and that it meets the required standards. Restraints should also be checked before use to ensure that they are well-maintained and fit for purpose, with no defects.

Drivers must not use mobile phones etc, drink, or smoke while driving on children and should be aware of the Highway Code and drive appropriately and within speed limits.

Children

Families must give their permission for children/young people to be transported in a staff member's vehicle, where this necessary. If no type of consent is obtained, transportation should not be permitted, unless in an emergency authorised by the Headteacher. Children must behave appropriately while travelling in the vehicle. If there are any concerns during the journey a dynamic "on the spot" risk assessment should be carried out to determine if there is a significant risk to the driver or passenger and appropriate action taken.

If the child has a medical condition that is likely to require additional support/medication, a copy of their individual Health Care plan plus appropriate medication must be available. A family member or member of staff who has received training in administering support/medication should accompany the child in the vehicle.

Accidents/Incidents

In the case of a road traffic accident, these must be reported by the driver, to their own insurance company and the Headteacher. Families of the child being transported must be advised of the name and address of the insurance company, if wishing to make a claim. All accidents/incidents that occur whilst transporting children of the school must be reported and recorded using our Accident Reporting System.

This policy links to the Safeguarding Policy, First Aid Policy, Attendance Policy, Missing Child Policy and Sick Child Policy.

Annex 1 - Lanesend Primary Minibus Policy

USE AND MANAGEMENT OF THE SCHOOL MINIBUS

- Definition
- Ownership
- Registration and Licensing
- MOT Certificate
- Insurance
- Maintenance and Servicing
- Recovery
- Drivers
- Driver records to be maintained in school
- Documents
- Driving Time
- Equipment/documents to be carried in the vehicle
- First Aid
- Fuel Cans
- Seated Passengers
- Access to Doors
- General advice to the driver
- Pupils with Additional educational needs
- Hiring Out

DEFINITION

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 8 but no more than 16 seated passengers, in addition to the driver'.

OWNERSHIP

Lanesend Primary School is the owner of the vehicle.

REGISTRATION AND LICENSING

It is the Head Teacher's responsibility to make the necessary arrangements for the minibus to be registered and licenced. A full annual licence should be obtained. The vehicle is registered by Lanesend Primary School as the registered keeper.

MOT CERTIFICATE

It is the responsibility of the Head Teacher to ensure that, where it is required, a current MOT Certificate is held for the minibus (a minibus requires a current MOT certificate from its first birthday).

Due to certain special physical requirements related to the size of minibuses, vehicles of this class have to be taken to a testing station, which is registered for Group 5 tests.

INSURANCE

It is the Head Teacher's responsibility to make arrangements for the minibus to be insured on a fully comprehensive basis.

Cover will normally be restricted to authorised drivers over 21 years of age who are experienced at driving this type of vehicle, hold a full UK driving licence and who have no disability, recent motoring accidents or convictions.

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 insurers may well refuse indemnity under their policy, leaving the driver liable not only for costs, but also open to prosecution for driving without insurance.

A copy of the driving licence must be held on the school's file and provided by staff annually, each September. People hiring the minibus must provide their driving licence before driving the minibus.

MAINTENANCE AND SERVICING

It is the Head Teacher's responsibility to ensure that there is proper and adequate maintenance of the minibus in order that it meets in full the requirements of the Road Traffic Act and the vehicle manufacturer's recommendations for servicing and maintenance of the vehicle.

Records of all maintenance work must be kept.

General maintenance work should not be carried out within the school or by school staff. Should an accident result from faulty work carried out on the vehicle by any unauthorised personnel a claim against the school or Head teacher is a possibility.

Prior to any journey the driver will ensure that he/she has completed the Mini Bus Check List (Appendix A) before departure. This will be checked by the Site manager for any defaults.

The Site Manager will have overall responsibility to ensure the checks listed on the Mini Bus Check List (Appendix A) are carried out at the beginning of each week and that the Defects List Form (Appendix B) has been reviewed and any defects recorded have been rectified.

A Defects List form is kept in the vehicle in which any minor defects, which cannot be immediately corrected, should be recorded by the driver. The Defects List form will be inspected regularly to ensure that minor defects are dealt with promptly.

All journeys must be recorded in the minibus file held inside the minibus by the driver.

N.B. Any serious defect which affects the roadworthiness of the minibus should be reported to the School office as soon as possible. The vehicle must not be used to transport staff or pupils until the defect has been rectified.

RECOVERY

The minibus should be covered by membership to the AA Recovery Scheme or another appropriate provider. This scheme should provide, in the event of a breakdown for the return of the vehicle, staff and pupils to the school concerned or the onward destination.

DRIVERS

As a minimum all drivers must:

- Hold a full United Kingdom driving license, which includes categories B-D1 (The terms of the school's insurance policy should be checked to determine whether

any endorsements on a member of staff's driving license would disqualify him/her from driving the minibus).

- Have at least 3 years experience as qualified drivers (and be over 21).
- Have acquired some experience in handling a vehicle larger than a car.
- If a driver has no previous experience of driving a minibus, it is recommended that tuition is provided by a qualified instructor prior to the assessment taking place, to ensure that he/she can handle the vehicle confidently and with competence.
- Staff who have endorsements to their licenses for reckless driving, or for offences involving drink or drugs, are disqualified from driving the minibus.
- Have obtained the insurer's consent in writing to their driving if they have any illness or disease which may affect their driving capabilities
- Have read the Royal Society for the Prevention of Accidents publication: Essential Minibus Driving, and the manufacturer's handbook for the minibus owned by the school.
- It is recommended that those staff who do not drive a minibus frequently should re-familiarise themselves with the controls and undertake a brief drive before taking children on board.
- All new drivers who have qualified since January 1997 must take a PCV License.

DRIVERS RECORDS TO BE MAINTAINED IN SCHOOL

All minibus drivers should be requested to produce their driving license at least annually. Drivers are then obliged to provide their license to the School Development Manager. This should be photocopied and the copy retained by the school.

Drivers should also be informed that they must notify the Head Teacher if they receive an endorsement to their driving license as a result of a conviction for a traffic offence. If drivers do not have at least 3 years driving experience they should not be permitted to drive a minibus unless they hold a PSV license.

The names of new drivers should be notified, in writing to the insurers if this is a requirement of the insurance policy. Copies of such correspondence should be retained.

Drivers must submit the following documents, which will be photocopied and held on file in the school office:

- Driving License – including paper counterpart
- Information regarding any endorsements on driving license.

DOCUMENTS

Photocopies of the following documents should be kept in the vehicle:

- Current MOT certificate
- Insurance certificate

- Registration documents

In the event of an accident report to Site Manager and School Development Manager.

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, ages and level of responsibility of the passengers (a minibus full to capacity with excited children can be very distracting to the driver)
- The number of hours already worked by the driver prior to the start of the journey. Without providing hard and fast rules regarding driving times, it is strongly recommended that:
 - For journeys which take place at the end of the school day and which are anticipated to return late at night and for long journeys of 50 miles or more, careful consideration should be given to the provision of two drivers who can share the journey.
 - Staff who have experienced a heavy teaching load during the course of the day should not be expected to start a journey at the end of the school day without first having taken some refreshment.
 - All drivers should take regular short breaks during the course of long journeys.

EQUIPMENT/DOCUMENTS TO BE CARRIED IN THE VEHICLE

The minibus must carry at least one fire extinguisher, which complies with BS5423. Fire Extinguishers will be checked annually as part of the whole school fire check. This is overseen by the Site Manger and our Health and Safety Consultant.

These will either contain:

- a) Water with a minimum test fire rating of 8A or,
- b) Foam with a minimum test fire rating of 8A or 21B or,
- c) Contain, and marked to indicate that it contains, Halon 1211 or Halon 1301, with a minimum test fire rating of 21B.

FIRST AID KIT

A fully stocked First Aid Kit, which will be checked weekly by the Site Manager, will be stored in the glove compartment for easy accessibility in the event of an emergency. There will be a prominent sign displayed inside the mini bus to indicate where the First Aid Kit is stored.

FUEL CANS

The carrying of spare fuel cans inside the vehicle is prohibited.

SEATED PASSENGERS

It is the responsibility of the driver and any accompanying adult to ensure all passengers are wearing a seatbelt prior to the start of any journey.

ACCESS TO DOORS

Drivers should ensure that all passengers have unobstructed access to at least two doors, one of which must be on the nearside of the vehicle and one of which must be either at the rear or on the offside of the vehicle. Gangways to these doors should not be blocked by luggage.

GENERAL ADVICE TO THE DRIVER

It is best practise for the driver to:

- Be satisfied that the vehicle is in a roadworthy condition before and throughout the journey
- Be clear about the route to be followed
- Ensure that all pupils are wearing seat belts and remain seated whilst the minibus is in motion
- 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 pupils alight on the footway and not on the carriageway
- If pupils have to exit by the rear of the minibus, then ensure that an adult supervises this operation
- Instances of indiscipline must not be tolerated. Offenders should be firmly dealt with at the time so that they are left in no doubt as to the unacceptable nature of their behaviour. The Head Teacher, or a senior member of staff, should be kept fully informed about any serious instances of indiscipline
- 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 in the journey prior to, or during, the course of the journey

PUPILS WITH ADDITIONAL EDUCATIONAL NEEDS

Adequate supervision, including the use of escorts, should be provided for all journeys.

Drivers and escorts should be made aware of any disability a student has and any difficulty he/she might have as a result.

HIRING OUT

At the Headteacher's absolute discretion the mini bus may be loaned to fully authorised organisations with the appropriate checks and driver qualifications. Only

appropriate charges to cover costs may be made. These will be reviewed from time to time and advised at the time of booking. The driver must meet the driver's requirements as stipulated in this policy.

Charges are negotiated to include fuel usage and the fuel tank is to be returned at the same level as at point of hire. The minibus needs to be returned and in the same condition that it was hired in. These costs will be reviewed on a regular basis. Any change in cost will be advised prior to hire.