



# **Children and Young People's Services**

## **Policy, Procedures and Guidance on the Use of Transport**

**June 2006**

## 1. Foreword

This document has been formulated by the Children and Young People's (CYPS) Department in conjunction with Trade Unions, Department safety advisors and other Council Department's representatives.

## 2. Authority For Use

This policy is issued under the authority of the Director of CYPS and is applicable throughout the Department, including CYPS/Establishment sites. CYPS requests that it be acknowledged where any part of this policy is extracted and/or reproduced.

## 3. Status and Implementation

This document forms part of a suite of documentation applicable to CYPS. All other documentation relevant to CYPS must be complied with, including: all statutory, local government, regulatory (ie that of the Health and Safety Executive – HSE), Corporate and Departmental documentation.

Any comments on this document, or difficulties in its implementation should be brought to the attention of the Director of CYPS through the usual line management channels.

## 4. Revision

This document will be reviewed on a regular basis to guarantee its continued relevance.

Earlier review may be deemed necessary where changes in legislation, good practice codes or corporate policy suggest that this policy requires revision.

Where through review, a need for modification is identified, this document, including the appendices, will be revised and reissued. This process will be completed within three months from the date of review.

**A signed and dated copy will be kept in CYPS records and can also be located at the Health and Safety Intranet Site.**

**Date:** May 2006

**Date of Review:** April 2008

**CYPS Policy, Procedures and  
Guidance on the Use of Transport**

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## 1. Introduction

- 1.1 This policy constitutes part of a suite of policies. Collectively these evidence CYPS's commitment to the promotion and maintenance of safe and efficient practice.
- 1.2 CYPS recognises its duty as employer and will, as far as is practicable, ensure that the safe and efficient use and hire of transport by the Department, including CYPS/Establishment sites, implemented through and in conjunction with its Headteacher/Managers/Supervisors, together with the Planning, Transport and Sustainable Development and Central Support Services Department – Contract Services, or any successors to the above.
- 1.3 Transport plays a significant role in the delivery of Children and Young People's Services in the city and beyond. For some, it is also part of the daily routine of travelling to and from Department sites, including Establishments. It is, therefore, essential that the Department clearly sets out its current policy on the matter, supporting those policies with comprehensive procedures and guidance and cross referencing them to other documents such as School Travel plans.
- 1.4 This Policy sets out the expected standards for staff, contractors, partnerships, parents/carers, volunteers and any other party involved in the provision and use of transport for Children and Young People's service delivery, whether within or outside normal working hours. All must comply with this Policy and take into account we are ambassadors of the service and role models. It is, therefore imperative that, eg. compliance with the mobile phone responsibilities is taken seriously, etc. It should be noted that on some policy issues CYPS is anticipating national legislation and in others, purposely adopting higher standards of safety that takes into account the nature of our 'business', while maintaining a balanced approach.
- 1.5 This policy has incorporated and added to previous policy, procedures and guidance pertaining to the use of Transport. This policy, therefore, replaces all prior CYPS documentation, which should now be recycled/deleted. Council documents relating to the subject should still be accessed for reference to detail, where not included in this document, although every effort has been made to avoid this need.

## 2. Scope

- 2.1 This policy applies to all employees of CYPS, as well as to other parties involved in the use of transport. In the case of Contract Services the policy expands upon, updates and is complementary to existing policy, procedures and guidance. It is the responsibility of **Headteacher/ Manager/Supervisors** to bring this policy, procedures and guidance to the attention of all involved.

3. **Legal Position**

- 3.1 References made to the legal position, are for guidance only and should not be construed as statements of law.

4. **Employer's Responsibilities**

- 4.1 It is CYPS's responsibility to establish minimum standards regarding transport and has accordingly set out this policy, procedures and guidance documentation.
- 4.2 Responsibility to implement this policy, procedures and guidance is delegated to **Headteacher/Manager/Supervisors** to discharge in an appropriate manner, deploying local management procedures applicable to the site at which employed.

5. **Help and Assistance**

- 5.1 Every effort has been made to bring together useful contact information which can be found at Appendix A.

6. **Definitions**

- 6.1 **Minibus:** a road going vehicle capable of carrying 9 to 16 passengers, plus the driver.
- 6.2 **Vehicle:** a motorised means of transport.
- 6.3 **Designated Vehicle:** any vehicle, with six or more seats. Typical examples are multi-purpose vehicles and leisure vehicles.
- 6.4 **Vehicle User:** The City Council has a corporate responsibility for the safe operation of its vehicles, which CYPS must discharge Departmentally. The term "vehicle user" applies equally to the driver, Headteachers, Managers and Supervisors and the vehicle owner (in the case of affiliated bodies, partnerships etc.)
- 6.5 **MIDAS: (Minibus Drivers Awareness Scheme) and other accredited schemes:** The MIDAS scheme is provided, administered and issued by Bristol City Council - Transport Services. Upon completion of this course, drivers will be issued with a MIDAS Certificate to drive a minibus. This Certificate is renewable at four yearly intervals.
- 6.6 **Driving:** is defined as time spent behind the wheel for the purposes of controlling its movement. This includes periods when the vehicle is stationary and its engine is running.

- 6.7 **Breaks:** a break is defined as a period during which a driver *and passengers are* able to obtain both rest and refreshment. *The break* may be taken whilst the driver is on or off duty.
- 6.8 **Transport Services:** the section of Transport Services which bears that name within the Central Support Services Department.
- 6.9 **Home to Education Establishment:** is where transport is provided to p/c/yp by the Establishment or CYPS to the Establishment in the mornings and for a return journey later that day.
- 6.10 **Taxis:** a vehicle that can be pre booked or flagged down at the roadside and which for a metered fee or set charge will take users from A to B.
- 6.11 **Private Hire:** a vehicle that can only be pre booked and which for a set charge will take users from A to B.
- 6.12 **Privately owned:** a vehicle in the personal ownership of staff, helpers etc.
- 6.13 **Service bus:** a vehicle operating on defined routes at a given frequency which can be boarded usually at set stopping points and will take users from A to B on that route for a published cost.
- 6.14 **School Travel Plan:** An outline of the Establishments needs and problems regarding travel to and from the Establishment, including access, inclusion and road safety issues. The document is written by the Establishment and reviewed annually as part of the Development Plan.

## 7. Policy

### 7.1 Headteacher/Manager/Supervisors across the Department including CYPS/Establishment sites must:

- A. ensure this policy, procedures and guidance is widely communicated and complied with, for example:
- ensuring local reporting and monitoring is robust and evidenced
  - all those having close and/or unsupervised access to P/C/YP (Pupil/Children/Young People) have been CRB checked to appropriate levels, etc. and
  - producing targeted user friendly leaflets and other materials to make this document content accessible to those who need to understand and Implement it.
- B. incorporate, adapt and improve this policy into a local policy document addressing all methods of attending and leaving the site which will need to take into account the Local Transport Plan hierarchy. See: [http://intranet.bcc.lan/travel/travel\\_plans.phtml](http://intranet.bcc.lan/travel/travel_plans.phtml)  
This identifies pedestrian access as the most sustainable method of accessing CYPS/Establishment sites, to cars at the bottom of the list, as least favourable. Content must address:
- cycle training
  - kerbcraft
  - safer routes to schools initiatives
  - 20mph and 'Switch Off your engine initiatives
  - the role of School crossing patrols should also feature
  - parking, stopping and loading places should be identified where possible, whether on or off the public highway
  - consideration for other road users needs to be addressed
  - picking up and dropping off times should be explicit
  - parking facilities for the disabled
  - where more than one home to Establishment vehicles is contracted the timing/staggering of times of arrival need to be addressed and
  - road safety education as part of PSHE or Citizenship.

The local document should include a Travel Plan which cross references and promote sustainable forms of travel for p/c/yp and staff and be discussed with and copied to Travel Plan colleagues who can assist in terms of format etc.

It should be noted that implementing the travel plan element of policy will be subject to recognition of a government target of 2010 to comply. The capacity of the above mentioned team to resource

assistance and funding, spread over the time period will be a challenge.

- C. carry out vehicle/pedestrian conflict risk assessments, to include parking facilities for the disabled, loading bays at delivery points etc, which are critical to address being an area of higher risk due to confined spaces, reversing vehicles etc. Instigate control measures and apply remedies where individuals eg. colleagues, members of the public, etc. do not comply with instructions. See the CYPS Unacceptable Behaviour etc. policy. Off site/school trip issues also need to be taken into account.
  
- D. appoint a local 'champion' to lead on the management and developmental aspects of this policy where flexibility to adapt and improve on content is permitted. This appointment must include co-ordinating and consulting upon the document with the Travel Advisor and other relevant consultees and colleagues and implementing the Travel Plan so it is a fully 'owned' Establishment initiative.

## 7.2 Home to Education Establishment - Vehicles

7.2.1 **Headteachers/Managers/Supervisors** must ensure that through the use of a competent intermediary eg. the Central Support Services Department - Transport section, who will ensure the relevant policies and procedures in this document are met by providers, or by on site management or other competent alternative, the following are complied with:

7.2.1.1 All vehicles and vehicle equipment eg. passenger lifting equipment used for Home to Education Establishment journeys must be roadworthy, regularly checked, maintained, serviced, MOT tested where required and be compliant with relevant legislation. School bus signs must be used, but only when transporting p/c/yp, unless permanently fixed to the vehicle. They must not obstruct vision. New minibuses will be fitted with digital tachographs, as will vans over 3 ½ tonnes or 3 tonnes with a tow bar. Drivers will need an insert card to be able to use them. Transport Services are a provider that can assist with support on these requirements.

7.2.1.2. Vehicles must have valid permits eg. minibus permits, displayed in the windscreen.

7.2.1.3. All vehicles, whether council or provided from elsewhere, must be adequately equipped for the Home to Education Establishment journey. They must, therefore:

- A. have forward facing seats. P/c/yp must not use the rear facing seats in London style taxi cabs unless a three point seatbelt is provided.
- B. provide one seat/place per pupil; the sharing of seats and standing passengers are not permitted.
- C. be fitted with appropriate seatbelts – ie. lap or lap and diagonal. Department preference is all lap and diagonal.
- D. double deck buses without seat belts must be phased out as quickly as possible with a maximum end date for implementation being 2 years from the Issue of this policy. Single deck buses must operate with seat belts.
- E. carry a first aid kit and fire extinguisher.
- F. be fitted with approved child or booster seats as appropriate; the carrying of p/c/yp on laps is not permitted. Baby seats, child seats and booster cushions must be correctly fitted to the vehicle in use well in advance and in accordance with procedures available from Road Safety Education team. It should be noted that physical size and height of children should be taken into account, rather than age guidance alone, for use of such equipment.

7.2.1.4 **Headteacher/ Manager/Supervisors and Drivers** must co-ordinate and co-operate to risk assess the use of the vehicles including any movements on and off site, whether supervision is necessary and if so the competences appropriate for the task and equipment necessary, including PPE etc. loading/ unloading locations and the operation itself, staggered timing, use of CCTV monitoring and/or escorting during journeys etc.

The driver can be taken into account for this supervision purpose and in cases where restraint may be necessary, (see 7.7 below) if vehicles are halted and they have appropriate Information, Instruction and Training to competently carry out the restraint, in a supporting role.

**Headteacher/Managers** must lead the on site element of the risk assessment.

**The Procuring Manager** at the Establishment, or in CYPS, must lead on the off site element of the risk assessment. Outcomes can be incorporated into the local policy document.

7.2.1.5 Particular attention must be paid to risk assessments for p/c/yp with special or other needs, especially where drivers and Escorts may be exposed to bodily fluids, violence etc. Appropriate protective measures, training, etc. must be instituted, including the provision of personal protective equipment, protective vaccination etc.

7.2.1.6 Co-ordination and co-operation will be necessary to achieve this which must be lead by **those CYPS staff that first authorise transport provision, eg. when a pupil first enters the education system at an appropriate age, or when transferring into the city.**

Thereafter responsibility will be taken by the **host Establishment** at annual review, or more often if necessary. On transfer to alternative provision, all relevant information must be given to the receiving Establishment to allow them to take on the lead role effectively. Leading and formalising a risk assessment must involve:

- the pupil and their parents/carers
- the Establishment representative(s) particularly the SENCO or other nominated lead and
- an appropriate representative from the transport and escorting provider.

7.2.1.7 **Headteacher/Manager/Supervisors** must enter into a written and signed agreement with each parent/carer and pupil using home to Establishment transport that includes:

- A. p/c/yp must remain in their seats for the journey, wear their seat belt, appropriate and safe clothing and follow the driver's and any escort's instructions.
- B. p/c/yp must not physically or verbally abuse or harass others on the transport, smoke and/or behave inappropriately to those inside or outside the vehicle. Passengers may be allowed to eat and drink, where the transport provision does not include a staff member with responsibilities for p/c/yp with special needs, as long as there is no interference or potential surprise for the driver, eg. a loud noise, fizzing drinks etc. Rubbish must be removed by the consumer.
- C. Sanctions for unacceptable behaviour will include the ultimate penalty of withdrawal of the facility. This may include immediate withdrawal by the transport provider following an incident, where repeat behaviour on the next journey is feared. It should be noted that natural justice requires an appeal process to be built in to this procedure. Transport provision should not proceed until signed agreement has been obtained. If necessary an appropriate meeting of the relevant parties may prove necessary to achieve this.

Information, Instruction and Training will be given to the p/c/yp on the consequences of unacceptable behaviour and include such items as emergency evacuation.

7.2.1.8 The provision of transport must be regularly reviewed, especially where special needs are involved, where the above will need to be incorporated in the annual review, or earlier where appropriate, as detailed in 7.2.1.6.

The review must include all appropriate parties and take into account whether transport can be withdrawn or whether existing provision needs to take into account provision of an alternative vehicle type, driver and escort skills and training based on the needs of the pupil which may have changed medically eg. epilepsy, incontinence etc. or behaviourally eg. tendency to run off, violence etc.

The review must be recorded as part of the annual individual pupil risk assessment process.

### 7.3 Use of Privately Owned Vehicles for/on behalf of the council for business

- 7.3.1. Where an employee is required or agrees to use their own vehicle or a volunteer or pupil or other person agrees to use their own vehicle for work including, for example, home to Establishment to home, or off site visits/school trips; policy instructions in this document must be complied with.

If an exemption is being made to the age requirement for drivers (see drivers section below) eg. a pupil is driving; this must be fully documented, risk assessed and written parental consent obtained for driver and passengers until the p/c/yp complete their secondary education.

- 7.3.2. Employees, volunteers, p/c/yp or other persons must contact their insurance company to establish they are covered for work use in their privately owned transport. **Headteacher/Manager/Supervisors** must obtain evidence of suitable cover from them and for themselves, before permitting journeys to take place. This evidence must be obtained as part of the recruitment process where necessary and updated on a regular basis, and as a minimum, annually.

NB: There are different levels of business cover offered by insurance companies and checks must be taken to ensure the driver has obtained the right level for the work. This, for example, would need to explicitly recognise transport of p/c/yp. Each site will have to determine whether a payment is made to assist drivers with this, in most cases, one off cost.

- 7.3.3. **Headteacher/Manager/Supervisors** must also seek regular evidence from employees, volunteers, p/c/yp or other persons to satisfy themselves as to the roadworthiness and maintenance eg. MOT certificates, service records etc. of the private vehicle concerned and scrutinise driving licences, ensuring they are adequate for the work to be undertaken.

- 7.3.4. **Headteacher/Manager/Supervisor** and employees should also see the council's "Employee Travel Policy" dated October 2002, or any subsequent updates, which provides further information on using private vehicles for work purposes. The document current at the time of issuing this report can be found at:

<http://intranet.bcc.lan/personnel/travel.pdf>

**7.4 Use of CYPS/Establishment Owned Vehicles for or on behalf of council business and other permitted use**

**Headteacher/Manager/Supervisors** must:

- 7.4.1. notify CYPS HS&W team of existing vehicle details and any new vehicle details, preferably in advance of acquisition, donation or otherwise obtained. Please write and request the form for the purpose if applicable.
- 7.4.2. ensure that policy instructions in this document are complied with in relation to this category of vehicle.
- 7.4.3. have special regard to the requirements of this policy where vehicles are being used, loaned or hired by staff, other persons or organisations whether commercial or voluntary. Conditions of use need to be comprehensive and thorough and comply with appropriate regulations.
- 7.4.4. school bus signs must only be used when transporting p/c/yp, unless permanently fixed and must not obstruct vision.
- 7.4.5. note new minibus use will require digital tachographs, as will vans over 3 ½ tonnes or 3 tonnes with a tow bar. Drivers will need personal cards, issued in advance to be able to use them in this country and abroad. Drivers should apply for cards regardless of whether the current vehicle in use is not new as, eg. a breakdown may require transfer to a new vehicle. Transport Services are a provider that can assist with support on these requirements.

## 7.5 Drivers

- 7.5.1. Drivers whether, for example, employees, volunteers or contractors must drive with care and courtesy to all other road users and take responsibility for the health, safety and welfare of themselves, their vehicles and all passengers and comply with CYPS procedures and guidance in this document.

This requirement includes safe 'delivery' of p/c/yp to home, Establishment and other locations. In the event that a pupil can not be dropped at home as there is nobody authorised to receive them, the pupil must remain on the vehicle while others are dropped off and the local CYPS social worker office is contacted. A return visit should then be made and if again the pupil cannot be dropped off, then try the two alternative drop off points given when transport commenced. If this is unsuccessful, the pupil can then be taken to the local office, warned earlier of the issue, before 5.00PM. Otherwise the social worker duty team will need to be contacted. A procedure for dealing with this is an appendix to the appropriate risk assessment, accessed elsewhere in the Department's system.

- 7.5.2. Problems and defects which impair the safety of the vehicle and/or its passengers, or threaten to contravene the law must be remedied and/or reported immediately to **Headteacher/Manager/Supervisors** and then followed up in writing.

- 7.5.3. If an accident occurs, drivers must comply with the CYPS procedures later in this document.

- 7.5.4. Drivers must:

- A. avoid physical contact with passengers unless engaged in an authorised activity.
- B. not be alone and unsupervised with p/c/yp unless police checked, to an appropriate level, depending on the nature of the work.
- C. be aged between 22 and 70 years old unless otherwise risk assessed.
- D. have an appropriate driving licence used continuously for 3 years or longer for the vehicle they are to drive which must be carried while working, together with an appropriate form of identification, which should be on display about the person eg. an identity badge, new driving licence, digital tachograph card where appropriate, etc.

**NB category D1 entitlement for minibuses is no longer automatically included on driving licences.** Please contact the HS&W team if advice is needed on this.

- E. be fully insured (information available from the council's insurance team).
- F. be in good health for the purposes of driving, to include, for example, regular eye sight checks etc .

- G. not to be under the influence of alcohol or drugs while driving.  
This requirement is set at a zero level of alcohol in the blood while at work and drivers should take this into account well in advance of their driving duties. Use of prescription medicines must be notified to Headteacher/Manager/Supervisors where there are possible side effects that may impede driving ability.
- H. not have had an accident or other motoring incident which could be described as reckless, careless, dangerous etc. in the last three years. If this is not the case, details must be revealed to the Headteacher/Manager/Supervisor for consideration with respect to driving duties.
- I. endorsements either incurred singly or as a multiple exceeding 3 points, must be revealed to the Headteacher/Manager/Supervisor for consideration with respect to driving duties.
- J. not suffer from any physical or mental condition which impairs or, might impair driving.
- K. report to their Headteacher/Manager/Supervisor if there is a change to own licence, including endorsements and or insurance details or own vehicle, if used for work and confirm/notify to the Headteacher/Manager/Supervisor appropriate documentation expiry dates so that renewal can be arranged with a minimum of 6 weeks leeway.
- L. where applicable have undertaken training and attained the Authority's MIDAS Certificate and if appropriate Accessibility Certificate, or other authorised alternative for which proof of the above criteria must have been provided, checked and recorded by the Headteacher/Manager/Supervisors at the renewal application every two years.
- M. carry out daily check responsibilities for the vehicle. Where a pool vehicle is being used an explicit check should be made as to the respective responsibilities of the 'booking agent' and driver.
- N. be responsible for the safe and considerate parking and security of the vehicle.
- O. comply with CYPS working and driving hours requirements in this document.
- P. i) must ensure that the vehicle or self has a method of communication eg. radio, mobile phone, with the relevant parties involved. This should be part of a risk assessment which incorporates aspects including: length of journey, the pupil(s) involved etc. but not use a hand held **or** hands free mobile phone whilst driving/mobile and the engine of the vehicle is running.  
ii) A hands free mobile phone may be used by those with specific job emergency responsibilities when responding to an emergency call. If a call taken is other than an emergency, the call must either be held until the vehicle is stationary, or terminated and returned later.
- Q. not overload the vehicle internally or externally, including the roof and/or a trailer.
- R. where passengers are under 14 years of age, ensure that seatbelts are used and that where appropriate p/c/yp are secure

and straps/ buckles/harnesses are correctly adjusted before the journey commences.

- S. not proceed with a journey where an escort/supervisor has been allocated to a pupil(s) but fails to report for duty.
- T. know how to respond appropriately to emergency situations.

**Further details to support these policy statements are included later in the document where they need further explanation.**

## 7.6 Transport for Off Site Visits/School Trips

**Headteachers/Managers/Supervisors** must:

- 7.6.1. have regard to other policy content in this document and cross reference transport activity with the CYPS Policy, Procedures and Guidance for Off Site Visits/School Trips 2006 or any subsequent updates.
- 7.6.2. risk assess the journey to and from the intended destination, taking into account the mode(s) of transport used and wherever possible seeking risk assessments from the transport provider to tailor to local circumstances to include supervision, first aid cover, breakdown/delay procedures, sickness, accidents etc .
- 7.6.3. risk assess journeys from the destination to subsidiary destinations, where applicable, taking into account the mode(s) of transport used and wherever possible seeking risk assessments from the transport provider to tailor to local circumstances.
- 7.6.4. note that the temporary exception relating to double deck buses without seat belts for home to Establishment journeys **does not** apply for these visits.

A limited exception with regard to the use of Service buses is acceptable for off site visits where use of this form of transport has been clearly communicated to parent/carers and full written consent obtained. Such use must be for local journeys and with small groups only, with an appropriate risk assessment carried out.

- 7.6.5. ensure vehicles are fitted with approved child or booster seats, as appropriate, where design of the vehicle permits. Every recorded effort should be made to procure vehicles that can accommodate these additions. The carrying of p/c/yp on laps is not permitted. Baby seats, child seats and booster cushions must be correctly fitted to the vehicle in use in accordance with procedures available from Road Safety Education team. It should be noted that physical size and height of children should be taken into account rather than age guidance alone for use of such equipment.

- 7.6.6. note that passengers may be allowed to eat and drink as long as there is no interference or potential surprise for the driver, eg. a loud noise, fizzing drinks etc. and rubbish is removed by the consumer.
- 7.6.7. provide Information, Instruction and Training to the p/c/yp on this document, appropriate for their needs and include such items as emergency evacuation.
- 7.6.8. where such activities involve smaller groups and/or out of normal hours activities eg. a netball or football club, transport choices may be addressed by:
- a small coach or minibus, subject to the policy, procedure and guidance requirements of this document or
  - a request for assistance from parents where p/c/yp are placed in volunteers vehicles. Here it will be necessary to particularly apply the requirements of 7.3 above, address the issue of unsupervised access to p/c/yp and seek explicit parent/carer permission.
  - Additional insurance may not be necessary where no expenses are claimed by parent/carer drivers, but a check should be made with the company concerned.
  - Contingency plans will be needed in the event of p/c/yp not being collected for the return or an unauthorised driver arrives to take the p/c/yp, or
  - take an 'arms length' approach where a letter is written to all parents/carers indicating all who are receiving the communication and giving details of drop off time and collection, location, which staff will be present, etc. There must be no other involvement whether formal or informal, if this approach is adopted.

Contingency plans will be needed in the event of p/c/yp not being collected for the return or an unauthorised driver arrives to take the p/c/yp.

- 7.6.9. School bus signs must only be used when transporting p/c/yp, unless permanently fixed and must not obstruct vision.
- 7.6.10. New minibuses will be fitted with digital tachographs, as will vans over 3 ½ tonnes or 3 tonnes with a tow bar. Drivers will need a digital card issued to them personally, that will have to be inserted into the tachograph to be able to use such vehicles. This needs to be taken into account even if existing vehicles are not equipped with this technology. A breakdown, for example, may lead to the need for a replacement vehicle, which could not be driven without a card. Transport Services are a provider that can assist with support on these requirements.

## 7.7 Escorting P/C/YP with Special or other Needs

- 7.7.1. Where the need for an Escort for a pupil(s) has been identified, with or without a statement, **Headteacher/Managers and SENCO or other nominated lead** involved in and making such decisions must ensure that comprehensive and up to date information, including risk assessments, medical needs and any behaviour traits are provided and explained fully to drivers and Escorts. These key staff's employers, whether council staff or other agencies or contractors, also need to be involved in the information exchange. In addition, daily transfer of written information, in a form that will be issued separately, must take place at the end of the Establishment day. This will be before p/c/yp are allowed to leave the Establishment and board the transport.
- 7.7.2. Escort staff must maintain a courteous and professional manner at all times and comply with CYPS procedures and guidance in this document. Reference should also be made to the CYPS Policy and Procedures for the Administration of Medicines, where applicable.
- 7.7.3. Escort staff must act as a day to day liaison point between home/parents/carers and CYPS/Education Establishment staff to ensure the most up to date information is available to all concerned about each pupil. More critical information must be properly communicated between parent/carers and CYPS/Establishments and then shared. Appropriate written records on each pupil must be held by Escorts at work. If this requires pupil's details to be kept at the escort's home address, **Headteacher/Manager/Supervisors** must agree with Escorts a suitable method of secure storage.
- 7.7.4. Escort staff must share responsibility for ensuring that p/c/yp reach their destination safely, this requirement includes safe 'delivery' of p/c/yp to home and Establishment locations.

In the event that a pupil can not be dropped at home as there is nobody authorised to receive them, the pupil must remain on the vehicle while others are dropped off and the local CYPS social worker office is contacted. A return visit should then be made and if again the pupil cannot be dropped off, then the two alternatives given when transport commenced should be tried. If this is unsuccessful, the pupil can then be taken to the local office, warned earlier of the issue, before 5.00PM. Otherwise the social worker duty team will need to be contacted. The procedure attached to the risk assessment elsewhere in the system, must be followed.

- 7.7.5. Escorts may, in exceptional circumstances, eg. where behaviour from a previous journey would make it unsafe to continue with the next, or where new medical needs or behaviour traits come to light immediately before a journey which have not been risk assessed/training provided, in liaison with the driver and their

employer, withdraw transport provision. A review must be triggered by such action, to ensure communication of reasons behind withdrawing the service, actions to be taken before there can be a resumption and for timescales that are appropriate to be agreed and are effective.

Incidents must be reported to escort's line management, with a copy to the Headteacher/Manager.

- 7.7.6. Escorts must have a method of communication with relevant parties involved eg. radio, mobile phone, so as to be able to request information or assistance if needed.
- 7.7.7. The CYPS Department will ensure that flowing from its Unacceptable Behaviour and Positive Handling Policy; it sets and maintains a standard for restraint. This will include recognising triggers and avoiding them, diffusing skills and only in rare cases restraint skills. All involved and interacting with these p/c/yp will comply with the standard.
- 7.7.8. It is unacceptable for anyone to use restraining skills alone and unless in exceptional circumstances, a minimum of two competent people must be involved, ie. complying with the Department standard. This will be found as an appendix to the separate risk assessments carried out on this matter and held elsewhere in the system. Vehicles must not be mobile, should such action be necessary and must be brought to a safe stop as soon as possible. Where restraint is, for example, prolonged and/or assistance is needed to support any other p/c/yp present, an appropriate and competent emergency team will respond to an Escort's request for assistance, in an acceptable response time.

## 7.8 Training

- 7.8.1. **Headteachers/Managers/Supervisors** must ensure that staff involved with transport receive the appropriate training necessary to competently fulfil their duties and maintain and update that competence. The training must be listed in the Training Matrix or other database(s) against relevant posts, noted when complete and an appropriate refresher date flagged. It is essential to keep the database(s) up to date to allow accurate data analysis against the CYPS training plan.
- 7.8.2. Where contractors provide services, the driver's and escort's evidence of appropriate competence must be sought from them and evidence kept on the appropriate re-launch ring binder or by the competent intermediary, if used. Competence indicators are listed in other parts of this document eg. driver requirements. Replacement staff, for example, deployed in the case of sickness, must also be trained and competent. See also the CYPS Unacceptable Behaviour policy.
- 7.8.3. CYPS will ensure that all staff who may need Positive Handling skills, whether within the Department, in Contract Services, or part of the procured contractor service, or partner service providers, receives such training to the agreed standard in the Unacceptable Behaviour and Positive Handling Policy. This training must be provided immediately to new starters and refreshed on a regular basis to maintain skills and competence.

## 7.9 Monitoring and Audit

- 7.9.1. **Headteacher/Manager/Supervisors** must establish a system to monitor the effective implementation of this policy with evidence collated in a ring binder established for the purpose. CYPS will monitor and audit policy compliance and will request and verify management reports requested from **Headteacher/Manager/Supervisors**.

## 8.0 Procedural Action and Guidance necessary to Implement CYPS's Transport Policy

### 8.1 Vehicles and Permits

- 8.1.1 Servicing, MOT tests and maintenance checks for CYPS/Establishment vehicles will be notified to Drivers by their **Headteacher/Manager/Supervisors**. Vehicles must be presented at the scheduled time unless prevented by an emergency, when the Vehicle Workshops and **Headteacher/Manager/Supervisors** should be informed as soon as possible. The latter should re-book the visit as soon as possible after the emergency. These checks must ensure any external labelling necessary is in place eg. fuel type, oxygen carried etc.
- 8.1.2 Services, MOT tests and maintenance checks must be carried out in line with manufacturer's minimum recommendations and legal requirements. It should be noted that minibuses require an annual MOT test from new. Where vehicles are subject to a hire agreement with Transport Services - Fleet Management Section, they will give guidance on inspection and maintenance frequencies etc.
- 8.1.3 Where vehicles are not hired from the above, **Headteacher/Manager/Supervisors** will ensure vehicle providers satisfy them as to their standards. This checking should extend to vehicles used for off site visits. Arrangements can also be made for a Transport Services vehicle examiner to inspect such vehicles to ensure that maintenance standards are acceptable. There may be a charge for this service.
- 8.1.4 All Accessible vehicles must have their lifting equipment checked every six months to comply with safety regulations. Vehicles on hire from Transport Services will have the relevant safety certificate.
- 8.1.5 Vehicle users should be aware that the DFT has powers to spot check permit operated vehicles in the same manner as those operated under LGV and PCV Operators licences.
- 8.1.6 Where private vehicles are used for work **Headteacher/Manager/Supervisors** must introduce a monitoring system where the driver provides evidence of a sufficient driving licence for the work, a MOT test by means of the certificate where relevant and servicing records to manufacturer recommendations. This can either take the form of the vehicle service register appropriately stamped/marked up by the garage or a bill detailing the work carried out or receipts for service parts if servicing is carried out by the staff member. This evidence is to be copied and held in an appropriate 'branded' ring binder in the HS&W local system, for evidence purposes.

8.1.7 CYPS/Educational Establishments can make a not for profit charge to passengers for providing minibus transport to their own members or to people whom the organisation serves. For such services a Section 19 Permit is required and sufficient. A PCV licence will not be required.

8.1.8 The Section 19 Permit Scheme includes two types of permit:

- A. A small bus permit, for vehicles carrying 9-16 passengers. This can be issued by Transport Services Fleet Management Section, acting as an agent for the DFT. It can be applied for by completing the Permit Application Form available from them.
  
- B. A large bus permit, issued by the DFT.

All minibuses supplied by Transport Services are issued with a Small Bus Permit.

8.1.9 A Section 19 permit can be issued to anyone concerned with:

- Education
- Religion
- Social Welfare
- Recreation or
- Other activities of benefit to the Community.

8.1.10 When applying for a Small Bus Permit for an existing vehicle, or if requesting Transport Services to procure a new vehicle, users must state clearly the intended uses of the minibus. The list of intended uses must be exhaustive, including both regular and infrequent uses. So, where a minibus might be used occasionally by a local Church, its use for religious purposes must be listed alongside its educational function.

8.1.11 Permits are only required where a “charge” is made for the journey. A “charge” is a payment required for a journey which is provided in a manner which goes beyond the bounds of “mere social kindness”.

8.1.12 Charges may be set at a level which allows recovery of all the costs of running the vehicle, with allowance made for depreciation. This charge must not generate profits, even were profits used for other running costs or charitable purposes.

8.1.13 It is likely that CYPS/Establishment sites will have to make a “charge” at some point. Given the above definition and in such cases with passenger carrying vehicles with fewer than 17 seats in total, they must be operated under the Minibus Permit Regulations.

- 8.1.14 CYPS will instruct Transport Services to inspect vehicles, at user cost, prior to use to allow permit issue. Advice will be given if the vehicle does not comply in its present state.
- 8.1.15 Permits are valid only for the life of the vehicle and are not transferable. Older permits are not time limited or vehicle specific. Text must be checked to ascertain the type held.
- 8.1.16 A valid Small Bus Permit must be displayed on the windscreen of all Minibuses unless an "O" licence disc is displayed instead. An O licence is an operator's licence required by commercial bodies to operate buses and coaches operated for profit.
- 8.1.17 A model document for adaptation/improvement when others use CYPS/Establishment vehicles and need to provide evidence to comply with policy, procedure and guidance requirements is available from the HS&W team.

### 8.2.1 **Risk Assessment**

- 8.2.1 These will be carried out cross referencing to and aiding in the implementation of the CYPS Risk Assessment Policy. Wherever possible transport provider assessments should be requested, scrutinised for thoroughness and tailored to local circumstances.
- 8.2.2 Copy risk assessments must be kept in the appropriate risk assessment ring binder for easy reference.
- 8.2.3 Risk assessments will be necessary for on site issues and some off site issues, eg. the journey between the site and the vehicle at a nearby location on the public highway, or home to Establishment transport taking into account: loading/unloading, behaviour on route, use of an entitlement pass including personal photograph, use of CCTV, supervision, etc., as necessary. Assessment should also take into account other road user and pedestrian activity in the area. Example assessments can be found on the HS&W team's website, to tailor to local circumstances.
- 8.2.4 Particular attention must be paid to risk assessments for p/c/yp with special needs especially where Escorts and drivers may be exposed to bodily fluids, violence and aggression, etc. Those carrying out the risk assessment must pro-actively work together and produce a risk assessment and control measures with details of the transport allocation and any escorting duties.

### 8.3 **Drivers**

- 8.3.1 Vehicles and/or their contents/loads may display CYPS/Establishment names, uniforms, logos etc. and are, therefore, easily identifiable. At all times, vehicles should be driven with care

and courtesy to all other road users and in compliance with the Highway Code.

- 8.3.2 Drivers must not smoke in any CYPS/Establishment vehicle, whether it is in use or not. Drivers must not smoke during Education Establishment contracts. Drivers must not smoke when using their own vehicles to carry passengers for work. Those using their own vehicles on official business, without passengers, are encouraged not to smoke.
- 8.3.3 Drivers must not take illegal drugs or consume alcohol immediately prior to or during the working day. Drivers must not drive if taking medicines to which warnings that “driving ability may be impaired” apply. If there are any doubts or queries regarding proprietary or prescribed medicine(s) further advice must be sought from a GP or Pharmacist. **Headteacher/Manager/Supervisors** may also refer to Occupational Health for further guidance. A charge may be made by these health professionals for this advice.
- 8.3.4 Drivers must not eat or drink whilst the vehicle is in motion. Passengers may be allowed to do so, where the transport provision does not include a staff member with responsibility for p/c/yp with special needs, as long as there is no interference or potential surprise for the driver eg. a loud noise, fizzing drinks etc.
- 8.3.5 Drivers **must** avoid physical contact with p/c/yp and Escorts, if provided for a journey(s). This requirement is relaxed where Information, Instruction and Training on the CYPS standard have been provided and is regularly refreshed. Drivers must not discuss/hold conversations whilst transporting p/c/yp on inappropriate topics of conversation.
- 8.3.6 Where an anticipated escort or supervisor does not arrive, drivers must contact Transport Services or other provider of the escort or supervisor service for advice. Drivers must **not** proceed with the journey.
- 8.3.7 The management of pupil’s behaviour is primarily the duty of the escort or supervisor, when present. Where a driver considers pupil’s behaviour is not thought to be properly dealt with by the escort or supervisor, or for other reasons, eg. where no escort or supervisor is provided, drivers should contact their employer/management, who will co-ordinate and co-operate to resolve the problem.
- 8.3.8 A model document is attached to the appropriate risk assessment, held elsewhere in the system, for adaptation and improvement for home to CYPS/Establishment transport. It is recognised that in extreme cases of unacceptable behaviour, additional support may be needed. Action to be taken in these circumstances is again given in the appropriate risk assessment, held elsewhere in the system.

- 8.3.9 On no account must persons other than those authorised and specified, travel on vehicles. Staff should hold appropriate lists of those on the vehicle, including helpers etc. Multiple lists may be necessary where more than one vehicle is used and should be held on each vehicle by a lead staff member.
- 8.3.10 Risk assessment will dictate whether animals can be carried on vehicles eg. guide dog.
- 8.3.11 Drivers must declare any significant change(s) in health, which may affect ability to drive. However, this **does not** apply to the use of prescribed spectacles and contact lenses. Such changes must be reported to the DVLA, the **Headteacher/Manager/Supervisor** and to Transport Services or other provider.
- 8.3.12 An eyesight test is a mandatory requirement of the City Council's accreditation scheme carried out by Transport Services, using a Keystone Vision Screener, prior to the start of the Training/ Assessment Course. Eyesight tests are included within the charge for a Minibus Driver Assessment. Transport Services can also provide them to drivers of other CYPS/Establishment vehicles, **or** vehicles used for CYPS/Establishment work, upon payment of a small fee. **Headteacher/Manager/Supervisors** must ensure an equal standard is applied if using other providers and drivers.
- 8.3.13 **Headteacher/Manager/Supervisors** and Drivers must ensure, to comply with the Large Goods Vehicle and Passenger Carrying Vehicle Legislation, that Driver's statutory hours of work and rest periods are not exceeded.
- 8.3.14 Minibus driving in the UK is subject to the British Domestic Hours rules. However, the maximum driving period is considered too long by CYPS for non professional drivers. Drivers covered by this policy, procedures and guidance are, therefore, subject to EC Continuous driving limits, with a three hour maximum applying to all Drivers, other than those employed professionally as full time drivers. Therefore:
- A. hours of work must be recorded on a Driving Hours Record Sheet. The vehicle's tacograph must be used for this purpose where stipulated by the Driver's **Headteacher/Manager/Supervisor**.
  - B. Drivers **must** be fully fit for driving and ensure that they have met the daily and weekly rest requirements before commencing a journey.
  - C. Drivers must have sufficient regard for previous work, duties or activities which might contribute to tiredness or fatigue whilst driving.
  - D. Drivers may drive continuously for a maximum period of three hours. After this period, a break of thirty minutes must be taken. Wherever possible, it is preferable that driving periods are no longer than one to two hours at a time. Particular care should be

taken to comply with these requirements especially where non vocational drivers are used.

- E. for longer journeys, the option of sharing driving with other person(s) should be considered.
- F. Drivers may only drive for a maximum period of ten hours per day.
- G. journeys should be well planned to ensure that drivers will be able to take necessary breaks at appropriate points.
- H. between working days, there must be a “driving free” rest period of ten hours, which can be reduced to 8.5 hours once per week. At the end of a working week there must be a rest period of 36 hours. The working week should be no more than 6 consecutive working days.
- I. a Driver’s duty time is not only the time spent driving but also any time in which the Driver is acting under the Employer’s instructions. The maximum duty time per day is 16 hours.
- J. there are exemptions from the above Drivers’ Hours to allow drivers to deal with emergencies situations – that is, events requiring immediate action to avoid danger to life, health or damage to property. These must be recorded.
- K. it is also possible for drivers to exceed the stipulated maximum hours in instances of “unavoidable delay.” They may drive until their passengers reach a given destination or suitable stopping place on time unless this additional driving time becomes excessive eg. hours rather than a part thereof. Sufficient rest periods must be taken before fresh driving periods are resumed and the reasons for “unavoidable delay” must be recorded.

8.3.15 Drivers must take steps to ensure the security and well being of their passengers at all times. Accordingly Drivers must:

- A. exercise caution in their driving. Speed limits must be adhered to and all precarious situations avoided where possible.
- B. ensure that their vehicles are adequately ventilated, that the saloon temperature is maintained at a comfortable level and that the vehicle is kept clean.
- C. ensure that passengers use seatbelts by drawing attention to the availability of seat belts and making them aware of the legal requirement to wear them. Those in wheelchairs must be safely restrained.
- D. ensure that gangways and Emergency Exits are kept clear of obstructions, such as luggage and equipment and know how to use them in emergency. All loads carried, including wheelchairs, must be secured or safely stowed, to prevent them causing damage to other persons property or vehicles during travel. Any damage caused during transit by or to goods loaded by or under the supervision of the Driver, may result in that Driver being held negligent. If a Driver is in doubt about the safe loading of the vehicle, whether or not it was pre-loaded, the vehicle should not be moved until the Driver has consulted the **Headteacher/ Manager/Supervisors** concerned.

- E. avoid use of roof racks but, where used, Drivers are responsible for ensuring that items carried are secured in a suitable manner. Safe working practice must be adhered to when accessing and loading/unloading roof racks eg. use of ladders, steps etc. that have been properly maintained and use of which is properly assessed and supervised. Elasticated or pre-tension straps should be used to secure lightweight luggage, canoes etc. The maximum carrying capacity of the rack, as specified by the manufacturer, must be adhered to. The extra load and weight of the rack should be taken into account in handling the vehicle.
- F. when using trailers elasticated or pre-tension straps should be used to secure luggage, canoes etc. The maximum carrying capacity of the trailer, as specified by the manufacturer, must be adhered to. The extra load and weight of the trailer and its handling characteristics should be taken into account in handling the vehicle.
- G. ensure all reverse manoeuvres are reasonable and necessary. In the event of an unavoidable reversing manoeuvre, extreme caution should be exercised and, wherever possible, an attendant used to assist. It is an offence for a Driver to drive, or cause or permit to be driven, a motor vehicle backwards on a road further than necessary for the safety or reasonable convenience of the vehicle's occupants or other vehicles.

8.3.16 A Driver in charge of a vehicle is responsible for the security of that vehicle and its contents. When leaving a vehicle unattended drivers must:

- A. ensure the parking brake must be securely set "ON".
- B. engage first or reverse gear (except in those vehicles having air assisted clutches or automatic transmission).
- C. ensure all doors and windows are securely locked.
- D. that all anti-theft devices are set "on".
- E. that items that may attract the attention of a thief eg. mobile electrical appliances, luggage etc. are not left openly on display and ideally are removed from the vehicle altogether.
- F. not leave the ignition or starter key in the vehicle.
- G. only consider modifying the above when the vehicle is parked in secure premises.

8.3.17 Vehicles must be parked or garaged overnight on CYPS/Establishment sites unless permission has been granted to do otherwise by the Driver's **Headteacher/Manager/Supervisor**. Parking must conform to all legal requirements of the area in which parked. Driver's have responsibility to ensure compliance.

8.3.18 Prior to driving a vehicle, it is the responsibility of the Driver to hold an appropriate driving licence for the type of vehicle. Where a minibus is to be driven for work drivers must have:

- A. a current valid driving licence with a Category D1 entitlement which is no longer automatically included on the document. Pre-1997 D1 Licences only allow Drivers to drive minibuses under the Minibus Permit scheme **within the UK** and
  - B. a current MIDAS certificate or Bristol City Council Certificate of Competence or other suitable alternative. Certificates of Competence do not have to be held by:
    - professional Drivers with an unrestricted Group D licence and
    - drivers assessed by or employed by CSS Contract Services/Transport Services, or
  - C. a PCV Driving Licence, category D or D1, obtained by taking a test after 1<sup>st</sup> January 1997 is necessary to drive minibuses abroad where it will also be necessary to use a tachograph. See also the updated position regarding new vehicles, covered in detail in the policy section earlier in this document. Transport Services and other providers can give advice and training, with proper documentation prepared, if at least eight weeks before departure, notice is given. **NB Where a Minibus is taken outside of the UK by a driver with only a basic Post-1997 licence, there will not be insurance cover and negligence claims and prosecutions could follow.**
  - D. hold a vocational PCV driving licence to be exempt from MIDAS training or other suitable courses for standard minibuses. However, drivers must have had appropriate Health and Safety training to operate these vehicles and all associated equipment and demonstrate appropriate competence.
  - E. report any change(s) to the status of their Driving licence, including revocation, endorsements and revised entitlements to their **Headteacher/Manager/Supervisor** within a working day of the change. Notification must be immediate in the case of revocation.
  - F. comply with the Ministry of Transport Code of Practice, (VSE 87/11), where staff using wheelchair accessible minibuses must hold a valid MIDAS Accessible Training Certificate from Passenger Services Section or other suitable provider. CYPS will seek Passenger Services Section advice on the validity of any Certificate issued by other organisations.
- 8.3.19 Daily checks must be conducted by Drivers to ensure that vehicles are used in a safe and roadworthy condition and in compliance with current legislation on the day of use. CYPS will convey update information when available but drivers should also endeavour to keep themselves abreast of any changes in law and regulations. It is the responsibility of Drivers to ensure that there are no obvious deficiencies. A minimum checklist is at Appendix B.
- 8.3.20 The daily checks should be carried out methodically and recorded using a Driver's Defects Reporting Book. This is a useful facility for recording that safety checks have been carried out each day by the driver. An example is included available from the HS&W team, if

required. Where a defect is identified, the information needed/ identified in the report book should be completed and given to the **Headteacher/Manager/ Supervisor** to take action within a suitable timescale to address the nature of the defect safely. Vehicle Defect Report Books are available from Transport Services - Fleet Management Section with vehicles supplied by them. See **Help and Assistance**, Appendix A for contact details.

- 8.3.21 Drivers are not expected to change wheels when a puncture has occurred. A Tyre Contractor is to be used when a wheel change is required.
- 8.3.22 Trailers constitute an integral part of a vehicle and are, therefore, also subject to driver safety checks and defect reporting to the **Headteacher/Manager/Supervisors** for action. The council's Drivers' Handbook<sup>1</sup> provides instruction on how to properly carry out trailer inspection. Where defective, a trailer **must not** be used until further competent guidance has been obtained.
- 8.3.23 Copies of the Driver Defect Reports, Daily/Weekly Check Forms and Vehicle Maintenance Repair reports must be kept on the appropriate re-launch ring binder by the **Headteacher/Manager/ Supervisor** for inspection by the DFT and CYPS as required.
- 8.3.24 If a vehicle is stopped by the Police or the DFT and issues identified, drivers must notify the **Headteacher/Manager/ Supervisor** of this at the earliest possible opportunity. They in turn must notify CYPS, both within a working day each. If the vehicle is provided by contract services, CYPS will inform them as holders of the council's 'O' licence.

#### 8.4 **In the event of an accident or emergency**

- 8.4.1 Where personal injury is suffered, Drivers must contact the Police and if necessary the other Emergency Services should also be promptly called. **Headteacher/Manager/Supervisors** should then be informed and in turn must inform the CYPS emergency team and the transport provider, where applicable.

**The Accident Procedure in Appendix C must be followed by every Driver of a vehicle involved in an accident.**

- 8.4.2 Any communication received from Insurance Companies or third parties concerning Transport Services fleet or hired in vehicles by them must be copied and forwarded to Transport Services - Fleet Management Section. This **must not be** answered or acknowledged by the Driver or **Headteacher/Manager/Supervisors**. For other vehicles

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<sup>1</sup> See the handbook at [http://intranet.bcc.lan/personnel/drivers\\_handbook.pdf](http://intranet.bcc.lan/personnel/drivers_handbook.pdf)

**Headteacher/ Manager/Supervisors** must copy and forward the paperwork to the appropriate insurer.

- 8.4.3 If there is a possibility of legal proceedings being instituted against the Driver, then the Driver must inform their **Headteacher/ Manager/Supervisor** and, if appropriate, Transport Services or other employer immediately.
- 8.4.4 Any damage to a vehicle involved in an accident must be entered in the Vehicle Defect Book and the procedure outlined in it must be followed.
- 8.4.5 If, immediately after the accident, there is any doubt about the roadworthiness of a vehicle, this should be reported as a breakdown/accident and roadside assistance should be requested. Roadside assistance personnel must be allowed to decide whether the vehicle is towed/lifted for repair at a garage.
- 8.4.6 If the Driver or passengers have a camera available at the time of the accident, photos should be taken to record the scene of the accident.
- 8.5 **Procedure for the Emergency Evacuation of Vehicles**
- 8.5.1 In deciding whether to evacuate the vehicle, Driver's must give consideration to:
- the position of the vehicle
  - the threat posed by other traffic
  - the potential for fire
  - the limits posed by weather conditions and
  - the ability of the passengers to safely evacuate from the vehicle.
- Where:
- there is a high risk of fire, eg due to a spillage
  - oncoming/proximate traffic poses a high risk of further damage
  - weather conditions and the vehicle's position allow passengers to successfully alight from the vehicle
  - it is possible to move to a safer place and/or
  - a combination of these
- then evacuation may be instigated.
- 8.5.2 In the event that circumstances do not allow immediate/safe evacuation, passengers should be encouraged to adopt the "brace" position whilst those in charge assess the situation, carrying out a dynamic risk assessment<sup>2</sup> to decide on the most appropriate course of action.

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<sup>2</sup> See the CYPS Risk Assessment policy.

- 8.5.3 Where a vehicle is evacuated due to the risk of or actual fire, passengers **must not** be permitted to re-enter or approach the vehicle for any reason.
- 8.5.4 Fire extinguishers provided with the vehicle must only be used to tackle small local fires in or around the vehicle to prevent the fire spreading and facilitating evacuation. The extinguishers must be regularly serviced and perhaps included in the site extinguisher maintenance regime and training provided on their use.
- 8.5.5 The provision of First Aid kits is a statutory requirement on all passenger vehicles and can be used for any requirement, both major and minor. See Appendix E for a mandatory list of contents for a minibus. A staff member must be allocated responsibility for ensuring the kit is complete. The carrying of a second mobile kit in the vehicle will aid compliance.
- 8.5.6 First Aid should only be administered **by trained First Aiders and First Aid appointed persons or equivalent** according to the following principles:
- To preserve life
  - To prevent the worsening of a condition and
  - To promote recovery.

Where trained staff or other qualified persons are not available to respond to an incident other staff may wish to assist in addressing the 3 principles. In doing so they should have regard to the extent of their own competence and the potential risk of worsening a situation which could lead to claims of negligence, which if proven would negate council insurance cover.

## 8.6 **Responsibilities of Headteacher/Manager/Supervisors**

- 8.6.1 All vehicles must be insured. Many CYPS/Establishment vehicles are covered through the council's Central Support Services Department – Insurance team. This must be confirmed annually with them or alternative providers. A photocopy should be taken of the certificate to provide evidence of cover and held in a Transport ring binder, suitably 'branded' and added to the HS&W system. This procedure applies to other vehicles used too.
- 8.6.2 Any affiliated/partnership body must ensure that their insurer is aware that vehicles are being used under the "Section 19, Minibus Permit" regulations where applicable. Other permits must be displayed and renewed as necessary too. Paperwork should be held in the Transport re-launch ring binder.
- 8.6.3 Drivers' Driving Licences must be checked and recorded. A photocopy must be taken of the Driver's Driving Licence and held in the Transport re-launch ring binder. Periodic re-checks should be made and must occur when there is a change.

**8.7 Additional Procedural requirements for the Use of Transport for p/c/yp with Special Needs**

- 8.7.1 To provide safe, comfortable and adequate transport for children with Special Needs, the additional steps detailed below must also be taken by **Headteacher/Manager/ Supervisors and the transport provider**:
- A. transport should be provided on every day the pupil in question needs to attend CYPS/Education Establishment sites.
  - B. p/c/yp must be taken to safe and convenient pick up points agreed with all appropriate stakeholders.
  - C. transport must arrive no more than 15 minutes after the time specified. If late arrival is probable/occurs the driver must inform their employer
  - D. the vehicle provided must meet any special medical/seating requirements.
  - E. where risk assessment dictates, Escorts must be provided to support p/c/yp needs.
  - F. Drivers of vehicles must have appropriate training and expertise to enable them to support the particular needs of the p/c/yp.
  - G. Escorts must have adequate training and expertise to allow them to respond to the particular needs of the p/c/yp in their care, otherwise deployment must not take place and alternative provision sort.
  - H. Both Drivers and Escorts must be CRB checked and wear identity badges.

**8.8 Escorts' Responsibilities & Conduct**

- 8.8.1 To discharge their duties, as detailed in this policy, Escorts should follow the procedural actions detailed below:
- A. Escorts must be the first person to board and the last person to alight from the vehicle. The Driver will collect Escorts from home or from another agreed point of collection prior to the p/c/yp boarding. At the end of the journey Escorts will be returned to that point or an agreed alternative. For more detail please see the Passenger Services Escort Notes of Guidance document.
  - B. prior to leaving the vehicle, Escorts must ensure that no children are hiding or asleep.
  - C. Escorts must maintain a daily register of passengers travelling on the vehicle.
  - D. Escorts must be provided with a copy of the CYPS/Education Establishment Individual Pupil risk assessment by the appropriate **Headteacher/Manager/SENCO OR OTHER NOMINATED LEAD**, including an up-to-date list of emergency contact numbers, which must be carried at work.
  - E. **Headteacher/ Managers** must provide Escorts with up-to-date information and personal protective equipment relating to the

- medical requirements and behavioural needs of the p/c/yp in their care issued. Escorts must use any equipment issued.
- F. Escorts must, in light of this policy and the particular needs of the p/c/yp in their care, check that the vehicle is adequate for the journey eg. in liaison with the driver ensure there are a sufficient number of forward facing seats.
  - G. Escorts must ensure that the vehicle waits for p/c/yp for up to four minutes at each pick up point. When the vehicle arrives early, Escorts must ensure that the Driver does not leave the pick up point until two minutes after the pick up time notified to the parents/carers. Persistent problems must be brought to the attention of the employer.
  - H. unauthorised persons must not be allowed to board the vehicle.
  - I. p/c/yp entering and leaving the vehicle must be supervised at all times. They must not be allowed to open doors themselves, or to step into the road when boarding/alighting.
  - J. doors must be kept clear, especially when closing.
  - K. patience must be shown to p/c/yp whose mobility is such that extra boarding time is required.
  - L. where p/c/yp have mobility problems and/or physical and/or sensory impairments, they may require manual support when alighting from the vehicle. Escorts must ensure that they have necessary instruction from their **Manager/Supervisor**, the Education Establishment and the parents/carers, so that this support can be given safely and successfully.
  - M. Escorts must always be seated in a position which allows visual contact and an ability to reach all p/c/yp. In most instances this will be in the middle of the vehicle. Sitting at the front with the driver is not permitted unless there are no service users on board.
  - N. Escorts must check the vehicle for personal belongings left behind.
  - O. in their liaison capacity, Escorts must report to their Transport Coordinator or other appropriate employer and the CYPS/Establishment site any incidents which undermine the Health, Safety and Welfare of the p/c/yp in care or any unusual incidents occurring during the journey.
  - P. instances of poor, disruptive and unreasonable behaviour by p/c/yp must be reported to the **Headteacher/Manager/Supervisor** and parents/carers at home and the Transport Co-ordinator or other appropriate employer using the daily transfer record procedure. They will co-ordinate and co-operate to decide what action is to be taken. Escorts must not independently administer punishment.
  - Q. In instances of bad behaviour, incident report forms must be completed.
  - R. Escorts must not smoke, swear or indulge in inappropriate conversation when with p/c/yp.
  - S. Physical contact must be made by Escorts for the purposes of administration of medication, restraint or necessary assistance

in and out of the vehicle, where trained and competent. Any other physical contact must be avoided.

- T. Whilst acting in an intermediary role for parents/carers and CYPS/Establishment sites, Escorts must **not** comment on specific issues which are contentious.

## Appendix A: Transport Help and Assistance

### Useful Telephone Numbers

1. Passenger Services: (For information and advice about the passenger transport service, the approved list of contractors and minibus driver training)  
Tel: 90 36342
2. Fleet Management: (For information on vehicle requirements, self drive hire, contract hire, MOT and vehicle maintenance services)  
Tel: 90 36317

Vehicle Hire Co-ordinator	90 36310
Fleet Technical Officer	90 36306
Vehicle Fleet and Maintenance manager	90 36309
Workshop Team Leader	90 36321
MiDAS Training Co-ordinator	90 36366
Quality Assurance Officer	90 36353
Emergency Control (out of hours breakdown)	92 23288

3. Environment, Transport and Leisure Department  
Road Safety Services  
2nd Floor  
Wilder House  
Wilder Street  
Bristol  
BS2 8PH  
Email: [Road Safety](#)  
Tel: 0117 922 4383  
Fax: 0117 922 4496

Safer Routes to School: 90 36837

Gill Calloway, Establishment Travel Advisor: Tel 90 36103

4. Central Support Services Department, Safety Section: 92 24703  
or 90 37726
5. T.U Health and Safety Centre: 92 24039
6. CYPS emergency contact in normal working hours 35 25 999, out of hours 92 22 050.
7. **General Enquiries and Messages HS&W team**  
Jeff Britton - Office Administrator - Tel: 0117 92 24399  
Mooi Khor – Administrative Assistant - Tel: 0117 90 37622  
Dave Griffiths – Administrative Assistant – Tel: 0117 92 24564

Fax : 0117 90 37775

**CYPS HS&W/Emergencies & Business Continuity Manager**

Bill Crocker

Tel: 0117 92 24021, Mobile : 07770 640013

Fax: 0117 90 37775

email: [bill.crocker@bristol.gov.uk](mailto:bill.crocker@bristol.gov.uk)

**Capital & Assets & School Organisation Manager & Departmental Safety  
Co-ordinator:**

Michael Branaghan

Tel: 0117 92 23384

Fax: 0117 90 37775

email: [michael.branaghan@bristol.gov.uk](mailto:michael.branaghan@bristol.gov.uk)

**Departmental Safety Champion**

Kate Campion

Tel: 0117 90 37950

Fax: 0117 90 37963

email: [kate.campion@bristol.gov.uk](mailto:kate.campion@bristol.gov.uk)

**8. Insurance, Principal Insurance Services Officer**

Dave Mikkleson

Tel: 0117 92 22446

Fax: 0117 92 22821

## Appendix B: Drivers Checklist

the radiator coolant is at its proper level

the oil level indicator shows “full”

there is sufficient fuel in the tank to complete the duty or the tank is full

tyres are checked for sufficient tread depth and condition and maintained to correct inflation pressure

check brakes

check air gauges and warning devices for correct operation

drain air reservoirs where appropriate

check driving mirrors, windscreen wipers, washers for satisfactory operation and correct adjustment

check effective operation of horn or other audible warning

check effective operation of driving lights, reflectors, stop lights and direction indicators. Ensure all lenses and number plates are clean

clean windscreen and other car windows. Report cracks, chips or broken glass to your Line Manager/Supervisor. Journeys **must not** be attempted if vision through glass is impaired

check First Aid Kit and Fire Extinguisher are present, if required on the class of vehicle being driven

all seats, wheelchair clamps harnesses and straps are checked for security, completeness and damage before commencement of the journey.

where trailers are to be towed, the vehicle must be fitted with an approved towing attachment, electrical connection and trailer boards with number plates, indicators lights and reflectors

ensure that all wheelchair tracking is secure and free from dirt and grit which might interfere with the security of wheelchairs in transit.

## Appendix C: ACCIDENT PROCEDURE

***When involved in an accident the following procedure to be adopted as far as is practicable:***

- ***STOP the vehicle safely and where possible clear of the carriageway: Investigate without putting yourself at any risk, and if any person involved in the accident is injured, arrange for help. If possible, do not leave the scene of the accident, although under exceptional circumstances this may be necessary to summon aid***
  
- do not ignore the possibility of the stationary vehicle/s involved being a hazard to other road users and causing a further accident. If possible arrange for other drivers to be warned in time for them to stop. Use hazard warning lights or an amber beacon if fitted, to give prior warning. *Red reflective triangles and small traffic cones can also be used. Help can also be deployed by positioning people at appropriate intervals who use appropriate gesturing to warn and slow oncoming traffic*
  
- *where it is safe and possible to do so, help passengers to safety away from the carriageway*
  
- the names and addresses of:
  - all those involved in the accident and
  - all those travelling in vehicles involved

**must** be taken in full as a matter of priority

- where involved in an accident in which:
  - any person is injured,

- any vehicle other than your own is damaged
- roadside property is damaged
- animals, not in your vehicle, including large farm animals and dogs are injured

you must stop and provide, to anyone having reasonable cause to request them:

- your name and address
  - the name and address of the vehicle owner
  - the vehicle's registration number and
  - details of your insurance certificate
- where not possible to immediately report the accident to the police, the Driver must contact the police within 24 hours
- where the accident has caused personal injury, the police must be provided with Insurance details. Where the Driver is unable to produce insurance documents immediately, there are 7 days in which to present them at any police station. This remains imperative, irrespective of both the gravity of the accident and the liability of the Driver. If Police request that the Certificate of Insurance be produced, this request must be notified to the **Headteachers/Managers/Supervisors**.
- Drivers **must not** admit liability or blame, either verbally or in writing, nor make any offer or promise of payment
- where the other Driver is considered to have been driving recklessly under the influence of alcohol or drugs, this must be communicated to the Police as soon as possible and

- following any accident, the details must be reported in full and as soon as possible to your **Headteachers/Managers/ Supervisors**. A motor claim form, duly completed, must reach the insurer as soon as possible.

**IN EMERGENCY RING 999**

**CYPS Emergencies team on 35 25 999, (office hours)**

**92 22 050 otherwise.**

**Appendix D: References**

Bristol City Council HS&W and Transport Policies

Drivers Handbook

Notes of Guidance for Guide Escorts

DFES/DOT relevant documentation

EC Regulations

Existing Risk Assessments

Trade Union Materials

Sustainability/Environmental guidance