

Mini-Bus Safety

Schools Safety Guide

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1. Introduction

This guide is to assist schools who own, hire or lease minibuses to understand key requirements required to operate a minibus safely.

Minibuses are motor vehicles that have been constructed or adapted to carry between 8 and 16 passengers in addition to the driver.

2. Section 19 permits

Schools must consider the purpose of the mini-bus use and if it is being used for “hire or reward” then a Section 19 permit may be required.

Hire or reward is when a vehicle is being operated and any payment is made, in cash or in kind, for carrying passengers. Further guidance on this topic can be found in <https://www.gov.uk/government/publications/driving-school-minibuses-advice-for-schools-and-local-authorities>.

Section 19 permits are issued to non-profit making bodies (such as schools) to enable them to provide transport for their school community.

If schools are concerned that they may not meet the definition of not operating for “*hire or reward*” they are strongly advised to apply for a Section 19 permit. Permits will be valid for a maximum period of 5 years and the permit must be clearly displayed in the vehicle. Further details can be found [here](#).

Permits can usually be issued by your Local Authority or direct from the Driver & Vehicle Standards Agency (DVSA) and they only apply within the UK.

3. Management System

Schools who operate mini-buses have a duty to take all reasonable precautions to ensure that it is operated safely. To ensure this is the case, a risk assessment should be completed to ensure that the minibus is suitable for use, is in a safe road worthy condition, mini-bus drivers are competent and fit to drive and that journeys are safe. The risk assessment should be completed by a competent person and consider the following:

- Driver requirements – licence, medical, eye tests etc.
- Authorisation process for approved drivers
- The training requirements and supervision arrangements for drivers
- Age and behaviour of passengers/pupils
- Maintenance of the mini-bus
- Routine and non-routine journeys
- Accident and emergency procedures
- Any special needs of passengers

4. Minibus Driver

Schools should have a process in place to check the suitability of any mini-bus drivers. The approval process should include the following:

Licence Requirements

All minibus drivers should have the appropriate licence entitlement to drive the mini-bus (this will ensure that they are legally allowed to drive the mini-bus on their licence) as outlined below:

Car Driving Licence (category B) Obtained Before 1 January 1997

Drivers who passed their test prior to 1/1/1997 and who's licence includes the category D1, can drive a mini-bus that is **not being used for hire or reward**. This means school staff with such a licence can drive a minibus carrying up to 16 passengers.

Car Driving Licence (category B) Obtained on or after 1 January 1997

Drivers who passed their test on or after 1/1/1997 can drive a minibus that is **not being used for hire or reward** if the following conditions are met:

- Driver is over 21 and held a category B licence for at least 2 years
- Minibus is used by non-commercial body for social purposes
- No payment is received, other than out of pocket expenses for fuel/parking etc.
- The service is provided on a voluntary basis.
- The weight of the minibus is not more than 3.5 tonnes (or 4.25 tonnes if including any specialist equipment for disabled passengers)
- Trailers are not towed.

Schools are also advised to check their insurance and any employer's policies on this matter. For example, Sandwell council's policy is that minibus drivers are 25 years old. This also applies to any schools that are insured through Sandwell Council.

Please note: any mini-bus drivers over 70 need to reapply for D1 entitlement when the driving licence is renewed (even if licence issued before 1/1/1997) by completing a DVLA D2 application form and a D4 medical examination report.

Schools should complete an annual check of all authorised driver's licences, to see what vehicles they can drive or if driver has any penalty points or disqualifications.

This check can be completed using the [gov.uk website](https://www.gov.uk). However, schools require permission from the driver to share their driving record with you. They will also need to supply you with a [licence check code](#) which needs to be used within 21 days of issue.

Driver assessment and training

The Royal Society for the Prevention of Accidents (RoSPA) state that minibus driver assessment and training is essential as driving a minibus is significantly different

from driving a car. This will ensure that drivers have the necessary knowledge, understanding, capabilities and attitudes to drive the minibus safely.

Training and assessment can usually be provided by your Local Authority. Alternatively, schools can use the Minibus Driver Awareness Scheme (MiDAS) which is a national assessment and training scheme for minibus drivers in the voluntary and not-for-profit sectors. <https://ctauk.org/training/midas/>. Drivers should be reassessed at least once every 3 years or more frequently if required e.g. a driver has been involved in an 'at fault' collision, after not driving a minibus for a long period or if there are any concerns about their driving.

Fitness to drive

Schools need to ensure that all minibus drivers are medically fit to drive. This may take the form of a medical upon application and then at prescribed intervals. The frequency of medicals may need to increase when drivers reach 70 and over. Your occupational health provider should be able to provide this service for you.

Being medically fit to drive includes ensuring that drivers can meet the Highway Code requirements re eyesight. Therefore, the medical should include an eye test and retest at prescribed intervals which is usually every two years or more often if advised by an optician.

Drivers who need glasses or contact lenses to drive must wear them at all times when driving and report any changes to their health or eyesight that affects their ability to drive.

Drivers Responsibilities:

Vehicle Checks

A pre-drive safety check should be conducted every day the vehicle is used and repeated whenever another driver takes over. This check should be recorded, and a sample of a pre-drive check can be found [here](#). If any defects are found there should be a clear procedure for them to be reported and rectified.

Mobile Phones

It is illegal for drivers to make or receive calls while they are driving. It is essential that drivers do not use a mobile phone (even if it is a hands-free phone) as the distraction this causes significantly increases the risk of a road traffic accident (RTA).

Smoking

Drivers must not smoke in any work vehicle, even if pupils are not present.

Alcohol

There is a legal drink drive limit in England which includes a lower level for D1 licence holders. Minibus drivers should refrain from drinking any alcohol

before driving and be aware that alcohol can remain in the body for up to 24 hours and therefore may still affect the driver the morning after consumption.

Drugs

Driving under the influence of drugs seriously affects the ability to drive safely and increase risk of accidents. Drivers should never drive after taking illegal drugs, or if under the influence of drugs.

In addition to the above, some prescribed medicines or over the counter medicine can affect a person's driving ability. Drivers should consult their doctor or pharmacist and follow their advice when taking medication and driving. Drivers must not drive if ill, tired or affected by medicines.

Safe Drivers' Hours/Tiredness

Schools should consider the amount of time that staff spend driving and if the journey takes place during or at the end of the school day when the member of staff has been involved in other activities. RoSPA has guidance on [driver hours](#) and breaks. Schools should ensure that these hours are not exceeded, and drivers are well rested before any journeys. If the minibus is used for long journeys, to a residential centre for example, drivers should plan the journey to include rest breaks at the appropriate intervals. For very long journeys a second driver may be required.

5. The Minibus (Vehicle)

All school minibuses must be well maintained and road legal. This includes having a valid MOT certificate, road tax, insurance and displaying a valid permit disc if operating under a section 19 permit scheme.

Road Tax

The taxation class of a vehicle depends on whether it carries passengers or goods, its weight, its construction and the purpose for which it is used. Minibuses must be taxed, although tax discs are no longer issued.

Exemptions are available from local Vehicle Registration Offices for minibuses used solely to carry people with disabilities.

Insurance

Every motor vehicle using the public highway must be insured. Schools should ensure that they are complying with the requirements of the insurance policy and that the vehicle is insured for purpose it is being used and for all drivers. This may include restrictions of drivers due to age, experience or medical conditions.

Maintenance

Schools should ensure that a qualified motor vehicle engineer confirms that any minibus they purchase, hire or lease is roadworthy, safe and fit for purpose.

A maintenance schedule should be in place for each vehicle to ensure that the minibus is regularly serviced and maintained. This should be based on the manufacturers recommended service intervals, annual MoT and include maintenance of any wheelchair tiedown and occupant restraint systems in accessible mini-buses.

In addition to the above, any tail lifts should be subject to a thorough examination, every 6 months, under the Lifting Operations & Lifting Equipment Regulations (LOLER)

Inspections

Regular safety inspections should be conducted as part of the minibus maintenance programme. The aim of the inspection is to check the roadworthiness of the vehicle and well as the overall effectiveness of the vehicle maintenance system. The DVSA recommends a frequency of at least every 10 weeks.

MoT Tests

Every minibus requires an annual MoT test from the first anniversary of its registration date. A minibus with 13 or more passenger seats requires a Class V test, which can only be conducted at designated testing stations or LGV testing stations.

A minibus with 12 or less passenger seats only requires a normal car MoT certificate and can be tested at any garage with MoT test facilities

Emergency Equipment

All minibuses should carry both fire extinguishers and first aid equipment.

Every minibus must carry a British Standard water or foam extinguisher with a minimum test rating of 8A or 21B. If passengers in wheelchairs are being carried two foam extinguishers should be carried, one of which is kept in the passenger compartment.

All extinguishers should be fully charged, available for use and maintained in good and efficient working order. Drivers should check extinguishers daily as part of the vehicle inspection and they should be inspected by a competent person on an annual basis.

A first aid kit should also be carried and the location in the mini-bus clearly identified with signage. The contents should be regularly inspected and used items or out of date items replenished.

All drivers should be trained in the use of any emergency equipment.

In addition to the above it is recommended that schools take out Vehicle Breakdown Cover and details of cover and contact numbers are kept in the minibus.

6. Passenger Safety

Schools and mini-bus drivers have a duty of care to their passengers. The driver and any other members of staff travelling in the mini-bus should be aware of any travelling pupils needs including physical, behavioural and medical issues.

Consideration should be given to a safe place to pick up and drop off, of all passengers.

Once boarded, drivers or staff must ensure that all passengers are safely seated, and all seat belts are secured. All mini-buses should display seatbelts signs.

Seatbelts/Child Restraints

Any minibuses registered on or after 1st October 2001 must have seatbelts fitted. In addition to seatbelts an appropriate child restraint (car seat/booster seat) may be required depending upon age, and height of child. Information about child restraint can be found <https://www.gov.uk/child-car-seats-the-rules>.

Wheelchairs

Any wheelchair users who remain in their wheelchairs should be secured in either a forward or rear facing position with the wheelchair securely fixed to the vehicles restraint system. In addition:

- The wheelchair user must be secured.
- The wheelchair's brakes must be applied
- The power on electric wheelchairs should be switched off and the batteries firmly attached to the wheelchair
- Tracking for the wheelchair and occupant restraint systems should be kept clean, and free from grit, etc, at all times.

Employees who are required to secure wheelchairs in minibuses must receive Wheelchair tiedown and occupant restraint system training and be fully aware of the system used in the school minibus.

Supervision of pupils

Adequate supervision needs to be in place for journeys to ensure that the driver is not distracted. The level of supervision should be determined by risk assessment, considering the journey, the number of pupils, the behaviour, age and needs of the pupils being transported.

Employees providing the supervision should be aware of the those needs identified in the risk assessment as well as the safety/emergency procedures for the vehicle.

Employees or volunteers who supervise passengers as a significant part of their role may require additional training. The Passenger Assistant Training Scheme, is a nationally recognised course which provides training to employees in such a role.

7. Procedures for breakdowns and road traffic collisions

Schools should ensure that there is a written procedure for school staff to follow in the event of a mini-bus breakdown or a collision. The procedure should include if possible getting the vehicle to a safe position, evacuation of passengers to a safe place and procedures for getting help and assistance.

The driver should also contact the school to tell them what's happened so that messages can be relayed to parents if necessary. An out of hours contact number may be needed for this purpose.

8. Sandwell maintained schools

Sandwell maintained schools will need to ensure that they follow the [LA Minibus Guidance](#) and [Management of Occupational Road Risk Policy](#) which outlines the driver approval process and requirements for drivers (including minimum age of 25), training and assessment, health screening and medical checks.

9. Further information

Further information on topics found in this School Safety guide can be found in the documents below:

[RoSPA Minibus Code of Practice](#)

[Department of Education & Transport - Minibus advise for Schools and Local Authorities](#)

[DVSA Guide to Maintaining Roadworthiness - Passenger Carrying Vehicles](#)