



Operation of Mini buses Policy Engage MAT

Date of ratification: February 2018.....

Date of review: February 2021.....



Operation of Minibuses Policy

| | |
|--|---|
| 1. Introduction – Equal opportunities and scope..... | 2 |
| 2. Managers / Headteacher Responsibilities..... | 2 |
| 3. Employees Responsibilities..... | 3 |
| 4. Minibus hire, loan or purchase (including trailers) | 3 |
| 5. Risk Assessment..... | 3 |
| 6. Authorisation to drive a minibus..... | 3 |
| 7. Checks before use..... | 4 |
| 8. Licensing Requirements for drivers of Minibuses..... | 4 |
| 9. Minibus Permits..... | 4 |
| 10. MOT, Servicing, Maintenance and Safety Inspections..... | 4 |
| 11. Vehicle standards..... | 5 |
| 12. Breakdown procedures..... | 5 |
| 13. Using a Minibus..... | 5 |
| 13.1 Driver Hours and Rest | 5 |
| 13.2 Towing with a minibus | 7 |
| 13.3 Roof Racks | 8 |
| 13.4. Speed Limits..... | 8 |
| 13.5. Bus / Motorway Lanes..... | 8 |
| 13.6. Parking..... | 9 |
| 13.7. Passengers in Wheelchairs..... | 9 |
| 13.8. Driving a minibus Abroad..... | 9 |

Operation of Minibuses Policy

1. Introduction – Equal Opportunities and Scope

A minibus is a motor vehicle constructed or adapted to carry more than 8, but not more than 16 seated passengers in addition to the driver.

This policy and guidance applies to all Engage Trust employees who drive a minibus whilst at work. It equally applies to those who drive minibuses only occasionally or for short distances, as well as those where this amounts for a significant part of their working hours. It covers additional requirements, which relate specifically to minibus use over and above the requirements for general driving.

The Engage Trust expects employees to adhere to this policy in line with obligations under equality legislation. Managers / Headteacher must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status.

Please note: wherever reference is made in this policy to employees this also means volunteers, charity or agency staff who drive a minibus on Engage Trust business.

2. Managers / Headteacher Responsibilities

Managers / Headteacher are responsible for ensuring:

- Risk assessments are in place for all minibus driving activities undertaken by their employees
- Current employees who drive minibuses understand their individual responsibility to keep to the policy, and that any new mini bus drivers are made aware of their responsibilities.
- Checks of employees driving licences are undertaken to ensure they are valid
- That the appropriate licence allowing them to drive minibuses is held
- Ensure checks are carried out by the 'driver' on minibuses prior to use and that appropriate action taken for any problems identified – see the Minibus Checklist
- Ensure MOT, safety inspection and servicing conditions are adhered to
- Ensure driver hours activity logs are completed

In practice, these responsibilities may be carried out through directing others within the management chain of their service. However, managers / Headteacher remain ultimately responsible for ensuring those persons with delegated responsibility carry out the requirements in full. The manager / Headteacher will therefore need to actively monitor that the required actions are being undertaken on their behalf.

Operation of Minibuses Policy

3. Employees Responsibilities

Employees are responsible for:

- Adhering to this policy
- Carrying out the necessary checks on minibuses prior to use and taking appropriate action for any problems identified – see the Minibus Checklist
- Completing the Minibus Driver hours Activity log

4. Risk Assessment

Risk Assessments for the minibuses are reviewed on an annual basis. A copy of the risk assessment is given out each time a booking is made as well as a copy kept in the vehicle.

5. Authorisation to Drive Minibuses

The authorisation of drivers to operate the minibus is the responsibility of the Manager / Headteacher. When considering the suitability of persons for driving minibuses, they must comply with the Licensing Requirements for drivers of minibuses, as well as ensuring:

- The driver is be able to certify they do not suffer from any physical defects, disabilities or illness that might impair their driving
- All drivers of minibuses have passed the NCC Driver Development Training. Minibus drivers must renew their Driver Assessment / Development Training every six years.

7. Checks before use

Pre-journey checklists are carried out weekly by caretakers/ site teams. This is irrespective of whether the vehicle is owned, hired or borrowed. The driver also carries out the pre-journey checks. Engage Trust Caretakers at the base where the vehicles are sited carry out additional checks termly.

8. Licensing Requirements for drivers of Minibuses

The law on the licensing requirements for driving minibuses is complicated. European Legislation, UK law and DfES policy for schools all have variations on requirements and exemptions for licence types

Operation of Minibuses Policy

and differences according to use / activity being carried out. In order to ensure The Engage Trust complies with legislation and its duty of care, and to simplify the whole process, it is the Engage Trust's policy that all drivers who drive Engage Trust (or hired / leased / loaned) minibuses hold a D1 or PCV licence.

All schools must comply with the Engage Trust policy irrespective of any independent or differing advice they may receive.

9. Minibus Permits

The rule for when a permit is required and when it is not is also very complicated. The majority of the Engage Trust's minibus use is for activities that do not require a permit.

10. MOT, Servicing, Maintenance and Safety Inspections

Minibuses require a MOT inspection one year after initial registration, and annually thereafter. Minibuses with up to 12 passenger seats (excluding the driver) require a Class IV MOT, the same as a car. Minibuses with more than 12 passenger seats (excluding the driver) require a Class V MOT. The tests are different so you need to make sure you have the right one.

The manufacturers recommended servicing and maintenance schedules must always be adhered to. The service documentation supplied with the vehicle will detail when (on a mileage and/or time basis) the vehicle should be serviced.

11. Vehicle Standards

Minibuses must be maintained in a roadworthy condition as per The Engage Trust's checking procedures and processes (pre journey checklist and Caretaker termly check).

12. Breakdown Procedures

Advice for Minibus drivers in the event of breakdown/collision is kept within each minibus.

13. Using a Minibus

13.1 Minibus /driver hours and Rest – UK driving only

A minibus is a vehicle with between 9 and 16 passenger seats in addition to the driver's seat.

Operation of Minibuses Policy

The rules on drivers' hours for minibus operations are complex. To simplify the situation The Engage Trust has incorporated the regulations and its own instructions in the table below. These instructions apply to any person who is driving a minibus on Engage Trust business including all employees, volunteers, subcontractors or agency staff.

Completion and retention of minibus drivers' hour's records

The Engage Trust requires drivers to keep a full record of their driving activity by completion of a logbook (kept in the minibus). A new sheet should be used for each week and current record sheets should be carried by the driver in case these are requested roadside. Completed records must be kept for a period of at least 2 years. Written records may be requested by enforcing authorities such as the police or Driver and Vehicle Standards Agency (DVSA).

For drivers using written records, please refer to the table below for limits and periods of rest required.

| | |
|-------------------------------|---|
| Daily Driving | No more than 9 hours per day |
| Daily Work (excluding breaks) | <p>Length of working day</p> <p>A driver should work no more than 16 hours between the times of starting and finishing work (including work other than driving and off-duty periods during the working day).</p> <p>Daily rest periods</p> <p>A continuous rest of 10 hours must be taken between two consecutive working days.</p> |
| Breaks | <p>A person cannot drive for more than two hours without a break of 15 minutes</p> <p>After 4 ½ hours driving a driver must have a further 30 minutes break. (A break can be taken by a driver who is a passenger in a moving</p> |

Operation of Minibuses Policy

| | |
|---|--|
| | <p>vehicle providing they are not performing any other duties and is able to obtain rest and refreshment)</p> <p>After 6 hours work a person must have a minimum of a 30-minute rest. If a rest has been taken due to driving time this may be counted.</p> |
| Weekly Driving | Maximum of 56 hours in a week |
| Driving in a two week Period | Maximum of 90 hours in two weeks |
| Working Week (Total / Working Time) And Night Work | <p>Limited to 48 hours average over a 17-week period. A maximum of 60 hours can be performed in a single week providing the average 48-hours is not exceeded.</p> <p>If night work is performed, working time must not exceed 10 hours in any 24-hour period. Night time is the period between 01.00 and 05.00 for passenger vehicles.</p> |
| Weekly rest | Weekly rest must be 45 continuous hours for drivers. This can be reduced to 24 hours for one week as long as the person has a break of 66 continuous hours in the second week. |

Tiredness, fatigue and stress (be it from work, domestic or social circumstances) can affect safe driving. Drivers should take account of this and **not** drive if they believe they are unfit to do so.

13.2 Speed Limits

| | |
|---|--------|
| Single carriageway roads where no lower limit applies | 50 mph |
| Dual carriageways | 60 mph |
| Motorways | 70 mph |

Operation of Minibuses Policy

| | |
|---------------------------------|--------|
| Motorways when towing a trailer | 60 mph |
|---------------------------------|--------|

13.3. Bus / motorway lanes

Minibuses are able to use designated bus lanes unless the word 'local' is included on the blue signage or the road markings. Minibuses fitted with a speed limiter, are not allowed in the right hand lane of a motorway with three or more lanes.

13.4. Parking

If a minibus is parked on the road at night, side and rear lights must be left on. They must also be parked on the nearside of the road unless in a designated parking area.

13.5. Passengers in Wheelchairs

National guidelines produced by the Department for Transport are contained in the code of Practice VSE87/1 "The Safety of Passengers in Wheelchairs on Buses". If you are likely to carry passengers in wheelchairs, you will need to obtain a copy of this Code of Practice and abide by the guidance.

13.6. Driving a Minibus Abroad

Strict regulations govern the use of minibuses on international journeys. Operators of minibuses abroad will be subject to the laws of the countries they will be visiting, and these can vary depending on whether the country is part of the EU or not. If you are intending to drive a minibus abroad, you must establish what regulations and laws will be applicable for the country you will be visiting.

As a minimum, to drive a minibus abroad, you must normally hold a full PCV Licence, Category D or D1 (obtained through examination). You will also be required to use a tachograph to record driver's hours. If you have any questions contact the Engage Trust central HR team for clarification.