



Use of Minibus Compliance Code

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1. Introduction

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 compliance code applies to all employees who drive a minibus whilst working with WNAT. 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.

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

2. Managers /Headteachers Responsibilities

Headteachers are responsible for ensuring:

- Activities involving the use of minibuses are suitably risk assessed as per the WNAT risk assessing compliance code
- Current employees who drive minibuses understand their individual responsibility to keep to the compliance code, and that any new employees are made aware of their responsibilities as part of their induction.
- 6 monthly checks of employees driving licences are undertaken to ensure they are valid
- That those required to drive minibuses hold a D1 category licence
- Ensure checks are carried out and recorded by the 'driver' on minibuses prior to use and that appropriate action taken for any problems identified – see the Minibus Checklist A (Annex A)
- Ensure monthly inspections are carried out and recorded - See minibus Checklist B (Annex B)
- Ensure annual service is completed
- Ensure the annual MOT inspection is completed
- Ensure driver hours activity logs are completed considering the driver hours limitations as per this compliance code
- Ensure that a Section 19 permit is displayed in all minibuses when in use.

In practice these responsibilities may be carried out through delegation to suitable staff members. However, Headteachers remain ultimately responsible for ensuring those persons with delegated responsibility, carry out the requirements in full. The Headteacher will therefore need to actively monitor that the required actions are being undertaken on their behalf.

Vehicle inspection records should also be made available for inspection during both internal and external audits.

3. Employees Responsibilities

Employees are responsible for:

- Adhering to this compliance code
- Carrying out the necessary checks on minibuses prior to use taking appropriate action for any problems identified and provide a copy of the report post journey to the site manager – see the Minibus Checklist A (Annex A)

- Carrying out monthly inspections as requested taking appropriate action for any problems identified and provide a copy of the report to the site manager - See minibus Checklist B (Annex B)
- Ensuring that the vehicle information pack is carried for all journeys.
- Completing the Minibus Driver hours Activity log taking note of the drivers hours limitations as per this compliance code.
- Reporting all incidents to the Headteacher in a timely manner
- Report injuries via the WNAT incident reporting service desk

4. Risk Assessment

Any activity involving the use of the Trust / school minibus is to be included in the activity risk assessment as per the WNAT Risk Assessing Compliance Code.

5. Authorisation to Drive Minibuses

The authorisation of drivers to operate the minibus is the responsibility of the Headteacher.

When considering the suitability of persons for driving minibuses, they must comply with the following

- The driver is to prove they hold a D1 category licence
- The driver is able to certify they do not suffer from any physical impairment, disabilities or illness that might impact their driving and ability to manage incidents.
- The driver is able to manage small groups of students effectively.
- The driver has suitable experience of operating medium sized vehicles and has done so recently. Where this is not the case a familiarity drive should take place with a suitably experienced driver to confirm suitability.

6. Section 19 permits

The Traffic Act 1985 requires that educational organisations who charge for the use of the minibus to hold a Section 19 permit.

The permit must be displayed in the windscreen of the vehicle at all times when in use and has a periodicity of 5 years. Permits are transferable between vehicles but this may not be practical in all cases.

7. Vehicle Information Pack

It is the driver's responsibility to ensure that the vehicle information pack is carried at all times when the vehicle is in use. This will assist in providing information to the police or the Driving and Vehicle Standards Agency (DVSA) if required.

The pack should contain the following information

- Pre-use inspection form and declaration (Copy to be handed to Site Manager post journey)
- Drivers hours log sheet (Completed form to be handed to Site Manager post journey)
- Breakdown assistance information
- Fuel card
- School contact details for use in the event of an emergency

- Copy of insurance certificate

8. Checks before use

School minibuses are classed as Public Service Vehicles (PSV) and as such are open to roadside checks being conducted by the police or the DVSA. It is therefore important that a robust process for vehicle inspections be upheld and records maintained to assist during any potential roadside inspection.

The completion of local inspections enables potential faults to be identified prior to leaving the site that may have negative implications should they occur during the journey or when at a location away from the main site. Recording of local inspections also provides an auditable trail should an investigation be conducted by the police or DVSA post incident.

It is the driver's responsibility to conduct a pre-journey checklist which must be completed each time, before a minibus is used. The vehicle should be returned in the same state in which it left and the driver should sign the vehicle checklist post journey and submit a copy to the site Manager for record keeping.

Additional monthly checks should be conducted by the vehicle owner. Completed reports for all inspections should be passed to the site manager and records maintained for audit purposes.

Pre-use checks - Checklist A (Annex A)
Monthly checks - Checklist B (Annex B)

9. Licensing Requirements for drivers of Minibuses

The law on the licensing requirements for driving minibuses is complicated and there is guidance that states a minibus can be driven on a standard car licence (Without D1 category) if certain criteria are met as follows:

- you're 21 or older
- you've had your driving licence for at least 2 years
- you meet the 'Group 2' medical standards if you're over 70 - check with your GP if you're not sure you meet the standards
- you're driving on a voluntary basis and the minibus is used for social purposes by a non-commercial body
- the 'maximum authorised mass' or MAM of the minibus is not more than 3.5 tonnes – plus up to 750kg of equipment for disabled passengers, for example a wheelchair ramp
- you're not towing a trailer

The above is open to interpretation as to what defines a voluntary basis etc. Therefore, to remove all potential misinterpretation WNAT require all drivers to hold a D1 Category licence and all WNAT schools must comply with this compliance code irrespective of any independent or differing advice they may receive.

10. MOT, Servicing, Maintenance and Safety Inspections

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.

Minibuses require an annual MOT every 12 months.

As all Trust/ School vehicles are leased any MOT or service should be arranged via the leasing company to ensure approved garages are used.

In addition, safety inspections (over and above the pre-journey and monthly checks) should be carried out as a requirement of the Section 19 permit. These checks should be carried out by a competent person and should be completed at regular intervals. The guidance states every 10 weeks and WNAT encourage once per term to meet this requirement. The inspection should be arranged via the leasing company and records should be held.

Vehicles equipped with a ramp or lift are to ensure the equipment is serviced every 6 months as per the Lifting Operations and Lifting Equipment Regulations (LOLER) requirements with records held by the Site Manager as per normal compliance requirements.

11. Breakdown Procedures

Breakdown assistance information is to be held either within the vehicle or within the vehicle information pack.

Actions to be taken in the event of a breakdown or incident can vary depending on the severity of the event. Therefore, it is not practical to provide advice for all eventualities. However, the following must be adhered to;

- Ensure Students and staff remain in a safe location. This may require leaving the vehicle and moving to a point of safety.
- Contact the emergency services or request breakdown assistance as needed.
- Contact the school to inform them of the incident
- Follow the guidance of the emergency services or motorway patrol.

12. Driver Hours

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

Completion and retention of minibus drivers' hour's records

WNAT requires drivers to keep a full record of their driving activity. Written records may be requested by the enforcing authorities such as the police or DVSA.

Drivers must use the driver's hour's record form (Annex C) to record the hours driven. A new sheet must be used for each new driver and in use record sheets should be carried in case these are requested roadside. At the end of the journey the completed form should be handed to the site Manager for recording

Completed records must be kept for a period of at least two years. It is recommended that the records be scanned and held electronically as part of the monthly inspections.

For guidance 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>A driver should work no more than 16 hours and this includes work other than driving and off-duty periods (breaks)</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 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.

13.0 Towing with a Minibus

Towing should only be conducted where the driver has sufficient experience of doing so. Where there is concern this is to be raised and addressed.

Before attaching a trailer to the tow bar of a minibus;

- Check the gross train weight of the minibus, this sometimes is called the combination weight
- Check that you hold the correct licence to tow the trailer – D1 for trailers up to 750kgs, D1E for trailers over 750kgs
- If towing large trailers (over 750kgs) the total weight of the trailer must not exceed the unloaded weight of the minibus
- Knowing these weights is important to ensure you are driving on the road safely and legally

Once connected, check;

- That the minibus emergency exits are not affected by the connecting trailer

Before the start of any journey, the driver of the minibus needs to ensure that;

- The load is distributed evenly
- The trailer is not overloaded
- The load is secure
- All lights are working correctly.
- The connecting electric cable is not likely to be damaged
- A breakaway cable or secondary coupling is used. Make sure this is undamaged and correctly connected
- The tyre pressures are correct and the tyres are undamaged and the tread depth is legal
- The wheel nuts / bolts are tightened to the correct torque (Tightness)
- The trailer is correctly coupled to the tow ball or pin
- The coupling height and nose weight is correct
- There are secure mudguards on the trailer
- That the correct number plate fitted (the same as the minibus)

During the journey;

- Always keep within the legal speed limits, your capabilities and the road and weather conditions at the time
- If the trailer starts to snake or swerve, ease off the accelerator and reduce speed gently. This is an indication that you are going too fast or the trailer is wrongly loaded
- Do not break harshly on a bend as this will make the trailer unstable
- Reduce speed in plenty of time when approaching any hazard
- Remember on motorways you are not allowed in the third lane

14.0 Speed Limits

It is expected that any individual holding a current UK driving licence is aware of the speed limits in place throughout the UK. The table below is to serve as a reminder only

Note - Minibuses fitted with a speed limiter, are not allowed in the right-hand lane of a motorway with three or more lanes.

Single carriageway roads where no lower limit applies	50 mph
Dual carriageways	60 mph
Motorways	70 mph
Motorways when towing a trailer	60 mph

15.0 Bus lanes

Minibuses are able to use designated bus lanes unless the word 'local' is included on the blue signage or the road markings.

16.0 Height Restrictions

It is the driver's responsibility to ensure that the route selected includes consideration of the height of the vehicle. The overall height of the vehicle should be displayed in a prominent position.

Additional when utilising parking areas height restricted access should be considered

17.0 Passengers in Wheelchairs

WNAT operate a vehicle with suitable wheelchair access. Where access is required for passengers in wheelchairs this vehicle must be used.

18.0 Driving Abroad

Strict regulations govern the use of minibuses on international journeys. Operators of minibuses aboard will be subject to the laws of the countries they will be visiting, and these can vary depending on the country.

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 and ensure this has been considered at the planning stage to allow sufficient time to meet the requirements.

Annex A - WNAT minibus compliance code

Pre-use inspections checklist

This form must be completed each time, before a minibus is used. Any problems identified must be reported to the site manager immediately and appropriate action taken before the minibus is used. The form is to be signed post journey and handed to the site manager for recording purposes as per this compliance code.

Vehicle Registration Number:

Date of inspection below:

		Signature
Pre - use		
TYRES – CHECKED FOR WEAR AND FOREIGN OBJECTS		
WINDOWS - CLEAN ALL AROUND VEHICLE		
LIGHTS – ALL OPERATIONAL		
HAZARDS LIGHTS - OPERATIONAL		
WINDSCREEN - WIPERS AND WASHERS OPERATIONAL		
BODYWORK – INTACT AND NO DANGEROUS PARTS		
MIRRORS – POSITIONED CORRECTLY, NOT DAMAGED		
FOOT BRAKES – CHECK WHEN VEHICLE IS STATIONARY AND MOVING (BEFORE LOADING PASSENGERS)		
HAND BRAKE - OPERATIONAL		
AUTOMATIC STEP - OPERATIONAL		
HORN - OPERATIONAL		
SEATBELTS - IN GOOD CONDITION, WORKING PROPERLY		
FIRST AID BOX- PRESENT, WELL STOCKED & IN DATE		
FIRE EXTINGUISHER - PRESENT AND WITHIN DATE		
WARNING TRIANGLE - AVAILABLE		
REFLECTIVE JACKETS - AVAILABLE		
Post - use		
FUEL - TANK FILLED		
INTERNAL - CLEANED AND RUBBISH DISPOSED OFF		
DRIVER HOURS LOG - COMPLETED		
DECLARATION - SIGNED (BELOW)		
Please ensure this form is handed to the site manager for recording as per the compliance code		

Name:

Signature:

Date:

Annex B - WNAT Minibus Compliance Code

Monthly inspection check sheet

This form is to be used to conduct a monthly inspection. Any problems identified must be reported to the site manager immediately and appropriate action taken. The form is to be signed and handed to the site manager for recording purposes as per this compliance code.

Vehicle Registration Number:

Date of inspection below:

	Signature
TYRES – CHECKED FOR WEAR AND FOREIGN OBJECTS	
FLUIDS - OIL AND COOLANT LEVELS CORRECT	
LEAKS - NONE APPARENT	
WINDOWS - CLEAN ALL AROUND VEHICLE	
LIGHTS – ALL OPERATIONAL	
HAZARD LIGHTS - OPERATIONAL	
WINDSCREEN - WIPERS AND WASHERS OPERATIONAL	
WINDSCREEN - WASHER FLUID TOPPED UP	
BODYWORK – INTACT AND NO DANGEROUS PARTS	
DOORS - OPERATE CORRECTLY AND LOCK	
MIRRORS – NOT DAMAGED	
FOOT BRAKES – OPERATIONAL	
HAND BRAKES - OPERATIONAL	
HORN - IN WORKING ORDER	
SEATBELTS - IN GOOD CONDITION, WORKING PROPERLY	
FIRST AID BOX- PRESENT, WELL STOCKED & IN DATE	
FIRE EXTINGUISHER - PRESENT AND WITHIN DATE	
TORCH – PRESENT AND IN WORKING ORDER	
WARNING TRIANGLE - AVAILABLE	
REFLECTIVE JACKETS - AVAILABLE	
INTERNAL - CLEANED AND RUBBISH DISPOSED OFF	
DECLARATION - SIGNED (BELOW)	
Please ensure this form is handed to the site manager for recording as per the compliance code	

Name:

Signature:

Date:

Annex C - WNAT Minibus Compliance Code

Drivers hours log form

School:
Vehicle Reg:
Type of journey (sports, trip, visit etc):

Drivers Name :								
Day on which duty commenced	Date	Work start time	Driving Start time	Driving finish time	Number of breaks	Break duration	Work finish time	Signature of driver
Monday								
Tuesday								
Wednesday								
Thursday								
Friday								
Saturday								
Sunday								

Declaration :

Date:

This form is to be handed to the Site manager for recording purposes as per this compliance code