

DUDLEY MBC

MINIBUS SAFETY POLICY

WITH GUIDANCE NOTES

Applicable to all vehicles capable of carrying 9 to 16 passengers, in addition to the driver, when used by Dudley MBC within the United Kingdom, other than those hired with the driver.

**Also includes advice for MPVs
(Vehicles with less than 8 passenger seats in addition to the driver)
and Large Buses**

2006 Revision

DOCUMENT STRUCTURE

The document consists of: -

The Policy

Guidance notes on applying the Policy: numbered to correspond with it.

Appendices and guidance for MPVs and larger minibuses

Within the guidance section important advice is boxed, as shown below.

IMPORTANT ADVICE

Managers, at all levels, School Governors, those with direct responsibility for vehicle operations and drivers are reminded of their legal responsibilities.

DEFINITIONS

Minibus	a vehicle with nine to 16 passenger seats in addition to the driver (a passenger travelling in a wheelchair is counted as a seat).
Operator	the senior management in an establishment and/or organisation that owns, hires (without driver) and/operates a minibus. In a school this could be the governors and/or the Headteacher. In a council department this could be a Council Member or senior manager.
Responsible Person	A person designated responsible for the day-to-day running of the minibus. Note, although the day-to-day running can be delegated, overall responsibility will remain with the operator.
MPV	a people carrier, with up to 8 passenger seats in addition to the Driver
Large Bus	vehicle with more than 17 passenger seats, in addition to the driver (a passenger travelling in a wheelchair is counted as a seat).


CONTENT

	Page N°
Contacts	4
Section 1, Minibus Safety Policy	5
Section 2, Steps to Compliance	6
Section 3, Guidance Notes - Vehicles	7
Section 4, Guidance Notes – Operators	14
Section 5, Guidance Notes – Drivers	21
Section 6, Insurance	27
Section 7 Appendices	
1, Risk Assessment	31
2, Recommended Training	36
3, Passengers who use wheelchairs	37
4 MPVs	38
5 Large buses	39
6 Blue Badge Scheme	40
7 Seatbelt sign	41


CONTACTS

First points of contact:

Directorate of Children's Services


Tony Wells
Senior Transport Manager
Directorate of Children's Services
 01384 814301 Ext. 4301
tony.wells@dudley.gov.uk

Directorate of Adult, Community
and Housing Services

Rob Jones
Transport Manager
Directorate of Adult, Community and
Housing Services
 01384 815103 Ext. 5103
rob.jones@dudley.gov.uk

Other Directorates and secondary contacts:

Road Safety

Don MacDougall
Principle Road Safety Officer
 01384 815433 Ext. 5433
don.macdougall@dudley.gov.uk


Insurance

Cheryl Caladine
Insurance Officer
Risk Management and Insurance
 01384 814821 Ext. 4821
Cheryl.caladine@dudley.gov.uk

Transport advice

Pete Lloyd
Policy and Compliance Manager
 01384 814779 Ext. 4779
pete.lloyd@dudley.gov.uk

Corporate Safety

Ray Faulkner
Principle Safety Officer
 01384 814722 Ext. 4722
ray.faulkner@dudley.gov.uk

Minibus driver assessment

Geoff Eley
Driver Training Officer
 01384 814519 Ext. 4519
geof.eley@dudley.gov.uk

Section 1 - MINIBUS SAFETY POLICY

1.0 Vehicles must:

- i. be obtained from a reputable source and a Certificate Of Initial Fitness (COIF) or a Certificate of Conformity obtained from the supplier/manufacturer.
- ii. have a forward facing seat for every passenger with, as a minimum, a three point lap and diagonal seatbelt, for the driver and each passenger.
- iii. be regularly maintained in accordance, as a minimum, the manufacturers service instructions.
- iv. be inspected at regular intervals by a competent inspector.
- v. be checked by the driver prior to each use and defects reported
- vi. have repairs carried out prior to use.
- vii. carry an in date and intact first aid box and fire extinguisher(s).
- viii. have emergency exits clearly marked and kept accessible at all times.
- ix. where necessary have provision for the safe carriage of luggage.
- x. display a permit issued under section 19 of the Transport Act, 1985.
- xi. be fully comprehensively insured.

2.0 Operators must:

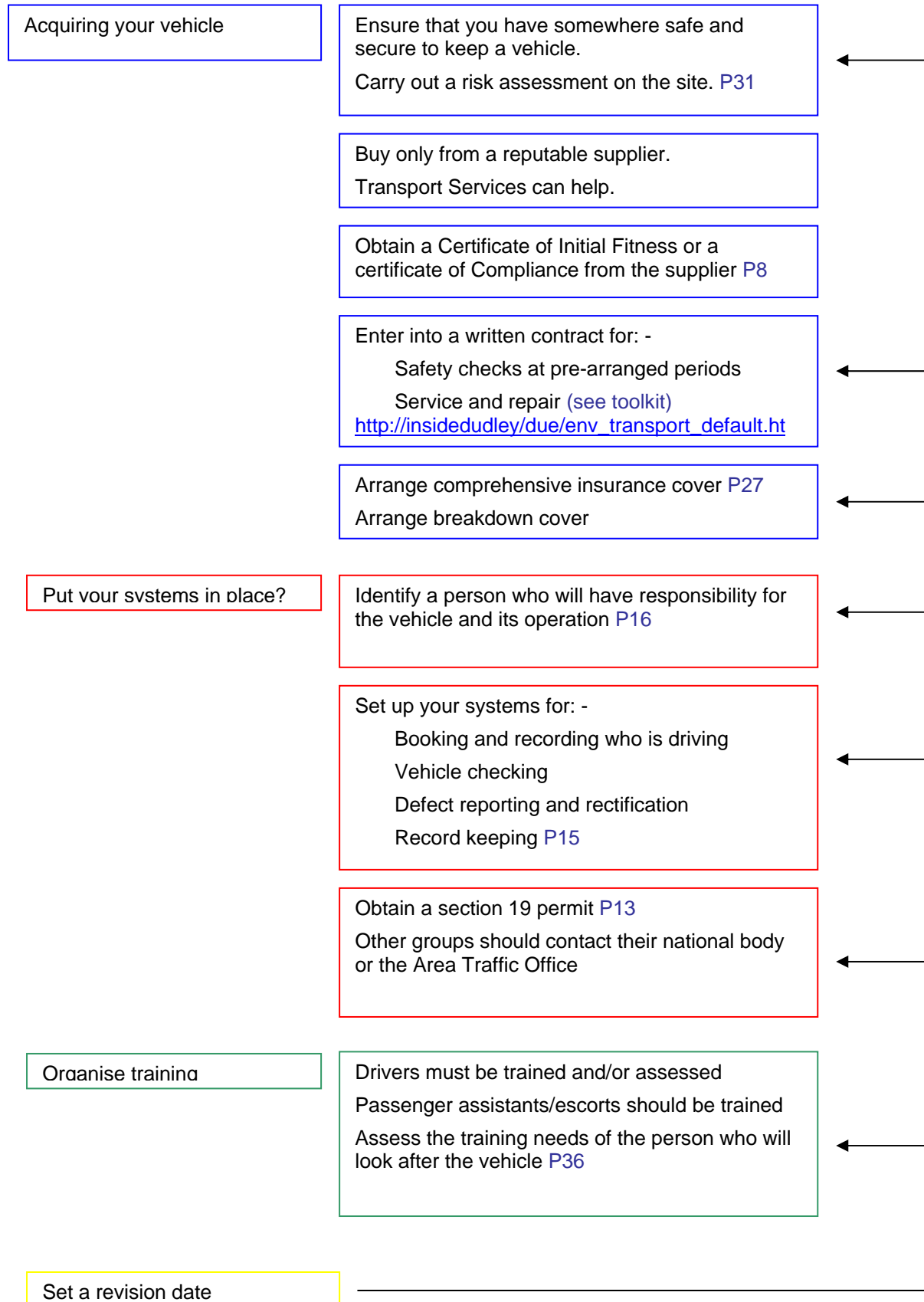
- i. have proper systems in place for carrying out:
 - safety inspections
 - defect reporting
 - maintenance
 - repairskeeping records for a minimum of 15 calendar months.
- ii. have a system in place for the keeping of records.
- iii. have a system for recording the:
 - identity of the driver
 - the start time
 - finish time
 - date
 - destinationon all journeys.
- iv. identify a person responsible for the control of the vehicle and records.
- v. ensure that risk assessments are carried out.
- vi. ensure that drivers are licensed, competent, aware of this policy and the systems put in place by the operator.
- vii. ensure that drivers are not exposed to the risk of fatigue.
- viii. ensure that passengers are properly supervised.

3.0 Drivers must:

- i. hold a drivers' licence category D or D1(with or without restriction).
- ii. Inform the operator immediately of any change in circumstances.
- iii. satisfy operators of their competence.
- iv. produce their licence to drive upon request.
- v. take proper rest prior to and during minibus driving periods.
- vi. carry out a vehicle check prior to use.
- vii. report defects immediately.
- viii. comply with the operator's systems and procedures.
- ix. maintain a personal knowledge of the Highway Code.
- x. drive the vehicle safely and in compliance with the road traffic law at all times.
- xi. ensure that gangways and emergency exits are kept free from obstruction.
- xii. ensure that all passengers wear seatbelts.

Section 2 - STEPS TO COMPLIANCE

Follow these simple steps to ensure that your minibus operation is compliant.



Section 3

GUIDANCE NOTES

VEHICLES

1 VEHICLES

- i. **Vehicles must be obtained from a reputable source and have a Certificate Of Initial Fitness.**

A Certificate Of Initial Fitness or a Certificate of Conformity demonstrates that the vehicle meets the regulations in terms of emergency exits, seating etc. The document will be valuable when disposing of the vehicle. Transport Services can provide vehicles and/or advice.

- ii. **Every passenger must have a forward facing seat with, as a minimum, a three point lap and diagonal seatbelt.**

Vehicles with side or rear facing seats must not be used. The human body is designed to flex in a forward direction. In a collision the spinal column of rear facing passengers can be flexed in an abnormal fashion, giving rise to spinal injuries.

Passengers travelling in wheelchairs must face forward unless a purpose built bulkhead is fitted to the vehicle allowing rearward travel.

IMPORTANT ADVICE

Passengers travelling in wheelchairs must never face sideways and must be secured separately to the chair

When using non-permanently fixed seats, usually found in minibuses adapted to carry passengers who use wheelchairs, it is important that drivers know how to ensure that the seat is properly secure. Drivers must also ensure that non-permanent seats are not replaced in a way that hinders access to emergency exits.

New vehicles obtained from a reputable supplier will have seatbelts fitted that comply with the latest standards. If contemplating the purchase of a second hand vehicle, or a conversion on a second hand chassis, written advice should be sought either from Transport Services or an independent engineer qualified and experienced in this type of work.

When procuring a vehicle it is recommended that four-point seatbelts be specified.

Adult seatbelts are most suited to persons over eleven years of age and 1.35 metres (4ft 5in) in height. Under this age and height the frame is not sufficiently developed to benefit from the adult seatbelt; for example the lap belt will be too high and may cause abdominal damage.



The law requires only that child seats or boosters are used when available on minibuses: there is no compulsion to provide them. Seatbelts are available that will adjust to the height of the child.

A sign reminding passengers to wear seatbelts must be displayed at all seating positions. Example in appendix 7 (P41).

When passengers travel in wheelchairs it is important that both the chair and the passenger are individually secured. Most wheelchairs are fitted with a lap belt for the user: these must not be relied upon to restrain a passenger on a moving vehicle. Three point belts, as a minimum, must be used to secure the passenger.

Wheelchair restraints must, as a minimum, conform to the requirements of VSE 87/1 Code of Practice "The Safety of Passengers in Wheelchairs on Buses". An extract from the Code may be found in the minibus compliance toolkit: http://insidedudley/duo/env_transport_default.htm

iii. **Minibuses must be maintained, as a minimum, to the standards laid down by the manufacturer.**

Proper arrangements must be put into place for the servicing and repair of minibuses. Only a competent person with proper workshop facilities should be used for repair and maintenance work. It is strongly advised that a contract or service level agreement is entered into.

Records of such work must be kept for at least 15 calendar months.

Minibuses must undergo an MOT test when 12 months old and annually thereafter. Book your test early to avoid the risk of it not being available.



iv. **Minibuses must be inspected at regular intervals by a competent inspector.**

The inspections should be carried out at intervals of between 4 and 8 weeks, according to the amount of use, distance travelled and the conditions the vehicle operates in.

The person inspecting the vehicle must be competent such as a: -

- Dudley MBC vehicle inspector
- MOT class five inspector
- Qualified and experienced passenger vehicle mechanic.

The inspections must be recorded on a form designed for that purpose and kept for at least 15 calendar months.

IMPORTANT ADVICE
Maintenance needs must override operational needs.

v. **Drivers must carry out a check of the vehicle before use.**

The result of the check should be noted on a form designed for the purpose. There must be a system in place for drivers to report vehicle defects.

The driver, together with the operator, is responsible for the condition of the vehicle. In the event of the vehicle being found with a defect, for example a damaged tyre, both would be liable for a fine and/or penalty points.

It is in the interest of the driver, and of course the passengers, to check the vehicle thoroughly before use. It is in the operator's interest to be able to demonstrate that a robust system of checks is in place and enforced.

An example checking form can be found in the compliance toolkit.

http://insidedudley/du/e/ev_transport_default.htm

vi. **Repairs must be carried out prior to use.**

If defects have been discovered during a vehicle check or inspection, the fault must be rectified before the vehicle is used.

IMPORTANT ADVICE
Records of defects and repair must be kept for at least 15 months

Records of both the defect and its repair must be kept for at least 15 calendar months.

vii. **Minibuses must carry a first aid box and fire extinguisher(s).**

The equipment should readily accessible and clearly marked.

Minibuses must carry a first aid box. This must be equipped to the PCV standard, containing at least: -



- 'Guidance on First Aid' Leaflet
- 10 x Non Alcoholic Wipes
(Single)
- Conforming Bandage 7.5cm x 4.5m Stretched
- 2 x Non Woven Triangular Bandage 96 x 96^{cm}
- Safety Pins x 12
- Medium Blunt / Blunt Stainless Steel Scissors 5"
- 2 x No16 Eye Pad Dressing
- 3 x Large Dressing 180 x 180 mm
- 30 Assorted Transparent Plasters

It is a good idea to check and seal these boxes.

Fire extinguishers should also be to PCV standard. In the case of fully accessible vehicles (designed to carry people with impaired mobility) two must be carried, one in the rear and one in the front, situated where they can be clearly seen. If they must be kept in a less prominent place, such as under the seat or in the glove box, a notice giving their location must be clearly displayed.

First aid boxes and fire extinguishers should be replenished immediately following use. A system must be in place to ensure that they are regularly checked. A vehicle subject to spot checking by the enforcement agencies will, in the case of a first aid box or fire extinguisher not being in date or complete, be prohibited from continuing its journey. It is a good idea to include it into your service/inspection contract.

viii. Minibuses must have emergency exits that are clearly marked and kept accessible at all times.

The law requires that each passenger on a minibus has clear and unobstructed access to at least two exits. The gangways and doors must be kept free from luggage and/or equipment. Doors must be unlocked when passengers are on board.

The emergency doors must be clearly marked. In normal use passengers should use the door on the nearside of the vehicle. Rear doors should only be used as emergency doors or to allow the use of passenger access equipment, such as lifts or ramps.

ix. Provision must be made for the safe carriage of luggage and equipment.

In the event of a crash, or heavy braking, items carried loose in a vehicle can cause serious damage to the occupants and driver.

All luggage and equipment carried must be secure. The gold standard is a properly constructed storage area on the vehicle. If this is not available, items must be stored away from gangways or doors and should not exceed the height of the seats, with webbing and/or netting used to secure items.

Allowance must be made for the weight of luggage or equipment, adjusting the seating capacity as necessary; this will mean a reduction in available seating capacity. Care must be taken to distribute weight evenly across the vehicle.

Roof racks must not be used. The risk involved with loading a minibus roof rack is difficult to manage and a badly or over loaded rack will have a dramatic effect upon the vehicle's stability, its braking and steering. If the carriage of luggage is essential consider the use of a small/medium van.

The use of trailers is strongly discouraged: in a crash the trailer could jackknife, hindering escape through the emergency doors. A trailer should only be used with a minibus following a thorough risk assessment, Appendix 1. (P35)

x. **Vehicles must display a permit issued under s19 of the Transport Act, 1985.**

If a contribution is made either by the passenger or on his/her behalf toward the cost of running a minibus or for meals/tickets/accommodation to do with a journey it is deemed to be for 'hire or reward'.

A section 19 permit allows a minibus to be operated without the driver holding a PCV licence or the operator being a qualified transport manager.

For establishments attached to the Council, a permit can be obtained from Transport Services, Ext 4779. Organisations not attached to the Council can obtain a Permit either from their own national body or the Area Traffic Office at the following address:

38 George Road
Edgbaston
Birmingham
B15 1PL
Tel: 0870 606 0440

Section 4

GUIDANCE NOTES

FOR THE OPERATOR

1 OPERATOR

i. Operators must have a proper system of defect reporting in place.

A proper defect reporting system is one that enables the person responsible for the day-to-day running of the vehicle, and drivers, to know when the vehicle has a fault. It must also show that the repair has been carried out.

Drivers must know how to report a defect and to whom.

The defect reporting system must include a process for getting defects put right.

Editable checking sheets and reporting systems can be found on-line in the minibus compliance tool kit. http://insidedudley/duo/env_transport_default.htm

ii. Operators must have a proper system in place for keeping records.

Defect reports and records of the repair must be kept for at least 15 calendar months.

There are certain records that the law requires an operator to keep for 15 calendar months, these include: -

- Safety inspections
- Defect reports
- Maintenance records
- Repair records



In addition, it may be necessary to keep records relating to drivers' hours.

The records must be kept in a place that is easily accessible at any reasonable time. It is not good practice to keep such records with the vehicle.

iii. **Operators must have in place a system for recording who is driving the vehicle, when and where.**

There are times when it is important to know who has driven the vehicle at a particular time. For example in response to a fixed penalty for speeding: if the operator is unable to identify the driver he/she may be held personally liable for the offence.

A system should be put in place to record: -

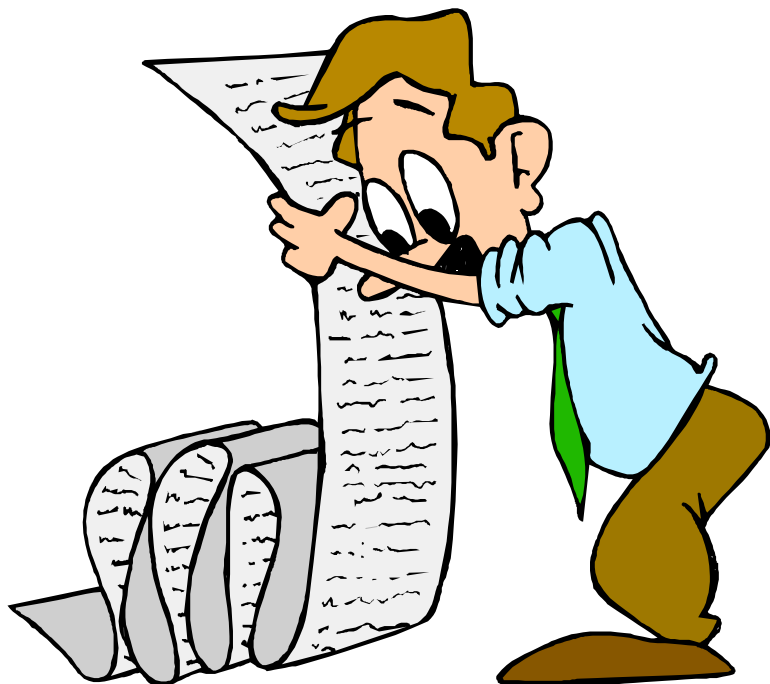
- The name of the driver
- The date
- The start time of the journey
- The end time of the journey
- Details of the journey, such as end and start locations.

iv. **Operators must identify a person responsible for the day to day running of the vehicle.**

It is good practice for a single person to have day-to-day responsibility for the vehicle.

The person selected should have an understanding of the regulation and requirements surrounding minibuses. Transport Services 4779 offer training for those with responsibility for minibuses. The Community Transport Association also runs courses.

The person concerned should be able to authorise repair work and when necessary remove the vehicle from service or have immediate access to someone who can.



V. **Operators must ensure that risk assessments are carried out.**

Operators should carry out written risk assessments. The Council has well defined procedures for carrying out assessments.

Regular types of journey can be covered by generic assessments, but one-off journeys, such as annual camp, should be assessed separately.

The following are some, but not all, of the things that should be covered in a risk assessment: -

The vehicle

Access and egress to on-site parking, maintenance regime, and vehicle defect system, break downs.

The driver

Experience, qualification, knowledge of a particular vehicle, ability to use specialist equipment, rest before journey, rest during journey, duty time, incapacity during journey, route knowledge.

The passengers

Age, behaviour, need for escort, evacuation, specialist equipment, child restraint systems.

The journey

Breakdown, delays, comfort and rest breaks, spare driver

Suggestions for these risk assessments can be found in appendix 1. (P30)

<p><u>IMPORTANT ADVICE</u></p> <p>Separate risk assessments should be carried out for passengers with medical or behavioural conditions needing special consideration whilst they are travelling. The assessment must be comprehensive enough to provide an action plan should the condition cause a problem during the journey.</p> <p>For advice on passenger risk assessments contact the Children's Services Transport Team on 01384 816972</p>
--

vi. **Operators must ensure that the driver has the correct licence for the type of vehicle, is competent, aware of this policy and systems in place.**

Dudley MBC takes the view that the correct licence category to drive a minibus is D1 (with or without restriction). There are times when it would be legal to drive, as a volunteer, a minibus without this category. In setting the legislation Government declined to define the term volunteer, leaving it instead for the courts to decide. To date there has been no precedent set by the courts. Until such a time as there is a clear ruling on this matter Dudley MBC will not expose Members, Governors, managers or drivers to the risk of prosecution and/or litigation.

A D1 entitlement is gained in two ways: -

Persons passing a test in a motor car on or before 31st December 1996 were given this entitlement automatically, restricted to 'not for hire or reward'. The driving of a minibus being operated properly under a Section 19 permit (P13) is exempted from the hire or reward regulation.

A person passing a test in a motor car on or after the 1st of January 1997 is not given a D1 entitlement. Such drivers will have to pass an additional test.

In addition to being properly licensed, operators must ensure that drivers are competent to drive the vehicle. The Council operates a Minibus Driver Permit Scheme (01384 814519 Ext 4519).

Drivers must be familiar with the vehicle they are to drive. No driver may carry passengers on a minibus they have not driven before without having driven it empty for at least 30 minutes.

Drivers and escorts must have received training on and be familiar with any specialist equipment carried on the vehicle, such as passenger lifts and restraint equipment.

Operators should ensure that drivers/escorts are aware of this policy and the systems put in place in any particular establishment.

IMPORTANT ADVICE
Drivers must be competent to operate specialist equipment on the vehicle, such as passenger lifts and restraint systems.

vii. **Operators must ensure that drivers are not exposed to the risk of fatigue.**

Driving whilst tired is a killer. Operators must ensure that drivers have adequate rest prior to and during a journey.

Prior to a journey.

Drivers must take adequate rest between completing other work and beginning to drive a minibus.

During camps etc. arrangements must be put in place to allow drivers to take proper rest free from other responsibilities, such as looking after children/clients.

During a journey.

Rest breaks of at least 15 minutes after two hours driving must be planned into the journey. After 4.5 hours at least 45 minutes rest must be taken.

During breaks, the driver should be free from the responsibility of looking after passengers.

Breaks should be planned to take place where the driver can leave the vehicle and take light exercise, such as walking around.

There are two main sets of rules on drivers' hours in the U.K. and the regime that you follow depends upon the use to which the vehicle is being put. Below is a much simplified guide: it is strongly recommended that the more stringent E.C. rules are adhered to, unless the use of Domestic rules has been sanctioned by Transport Services. Please remember that time spent doing other work, such as teaching or supervising passengers must be taken into account.

	Domestic Rules	E.C. Rules
Maximum driving	10 hours	9 hours
Driving without a break	5.5 hours (but see note above)	4.5 hours
Minimum break	30 minutes	45 minutes
Daily rest period	10 hours	11 hours

A copy of the regulations on drivers' hours can be found in the compliance toolkit. http://insidedudley/duv/env_transport_default.htm

Operators must ensure that passengers are properly supervised

Whilst the vehicle is in motion the only concern of the driver of any minibus is to operate the vehicle in a safe manner. In most circumstances a second adult should sit next to the main passenger door and actively supervise passengers.

Operators should satisfy themselves that there is appropriate supervision based on the individual needs of the passengers. There can be no blanket approach to who requires supervision on transport, although it is an accepted rule that young children, those with SEN and vulnerable adults will require appropriate supervision for any journey undertaken. Staff employed in a supervisory role where children are involved must have a valid enhanced Criminal Records Bureau (CRB) check as a minimum. .

On longer journeys two drivers are necessary.

IMPORTANT ADVICE

Advice on carrying out risk assessment on journeys for those with challenging behaviour or special personal requirements can be obtained from:

**Children's Services Team
01384 81**

**Social Services Transport
01384 81**

Section 5

GUIDANCE NOTES

FOR DRIVERS

DRIVERS

i. Drivers must hold a category D1 on their driver's licence.

A D1 entitlement is gained in two ways: -

Persons passing a test in a motor car on or before 31st December 1996 were given this entitlement automatically, restricted to driving minibuses that are 'not for hire or reward'. The driving of a minibus being operated properly under a Section 19 permit (P13) is exempted from the hire or reward restriction.

A person passing a test in a motor car on or after the 1st or January 1997 is not given a D1 entitlement and will have to pass an additional test.

ii. Drivers must inform the operator and Dudley MBC immediately of a change in circumstances affecting their licence to drive

Drivers must inform both the operator and Dudley MBC immediately of any change in circumstance relating to their drivers' licence or ability to drive a minibus. These include: -

- a. Change of address
- b. Change of name
- c. Change in health
- d. Disqualification or penalty points
- e. Serious offences such as those that could lead to a ban.

IMPORTANT ADVICE

Drivers must inform DVLA Swansea, and the operator of any minibus that they drive, of health conditions that affect their ability to drive safely.

Drivers must also inform DVLA Swansea of items a to c above.

iii. Drivers must satisfy operators of their competence.

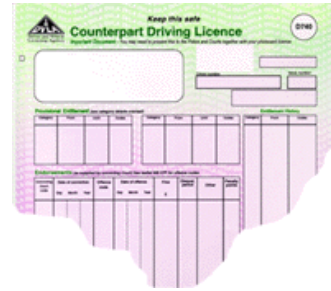
Drivers must satisfy the operator of their ability to drive the vehicle and use specialist equipment carried on it, such as passenger lifts and restraint systems.

Evidence of competence to drive is the Council's Minibus Permit Scheme.

iv. **Drivers must produce their licence to drive upon request.**

Drivers must produce their licence to drive: -

- When asked by the operator
- When undergoing minibus driver assessment
- When requested by the police or other enforcement bodies
- When requested by the Council's insurers



In the case of a Photocard licence, both the card and the paper counterpart must be produced.

v. **Drivers must take proper rest before and during minibus journeys.**

Driving whilst tired is a killer. Operators must ensure that drivers have adequate rest prior to and during a journey.

Prior to a journey.

Drivers must take adequate rest between completing other work and beginning to drive a minibus.

During camps etc. arrangements must be put in place to allow drivers to take proper rest, free from other responsibilities, such as looking after children/clients.

During a journey.

Rest breaks of at least 15 minutes after two hours driving must be planned into the journey. After 4.5 hours at least 45 minutes rest must be taken.

During breaks, the driver should be free from the responsibility of looking after passengers.

Breaks should be planned to take place where the driver can leave the vehicle and take light exercise, such as walking around.

vi. **Drivers must carry out a vehicle check prior to use.**

In addition to the safety implications it is in the driver's best interest to carry out a thorough check of the vehicle before using it. If for example a driver takes over a vehicle with a defective tyre and uses it, he/she will be liable for penalty points and a fine. The driver could also find him/herself stranded with a group of passengers to manage if the tyre failed: the same can be said for lights, wipers etc.

The check sheet provided by the operator should be used.

vii. **Drivers must report defects immediately**

Drivers must report defects or damage on the vehicle and/or equipment attached to it immediately, whether it is discovered during a check or when in use.

Advice should always be taken, and a note made of that advice, before a damaged or defective vehicle is used.

viii. **Drivers must comply with the operators systems at all times**

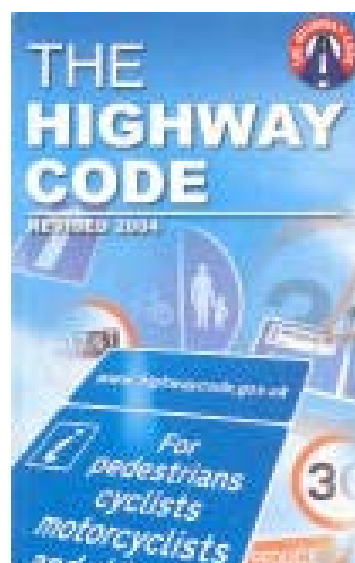
Drivers should always know and comply with the systems put in place by the operator. A minibus must never be driven without the knowledge and consent of the operator, even on a short journey.

ix. **Drivers should maintain a personal knowledge of the Highway Code.**

The roads are an ever changing environment and the Highway Code is revised from time-to-time. You can

view the most up to date version on-line at www.highwaycode.gov.uk .

During the Minibus Driver Assessment process you will be expected to demonstrate an up to date knowledge of the Code.



x. **Drivers must drive the vehicle safely and in compliance with the road traffic law at all times.**

There are differences between the rules for cars and those for minibuses, some of which are: -

- The national speed limits can be lower than for cars

	Motorway	Dual carriageway	Single Carriageway
Car	70	70	60
Minibus	70	60	50

- A minibus fitted with a speed limiter must not use the third or subsequent lanes on a motorway.
- It is illegal for the driver of a minibus operating on a S19 permit to eat, drink, smoke or talk to the passengers unnecessarily whilst driving.
- Minibuses must not be parked on the road at night without displaying sidelights, even on a 30mph road.
- When carrying passengers at night the passenger area must be illuminated.
- Minibuses may use bus lanes, but not those marked for local buses only.



xi. **Drivers must ensure that gangways and emergency exits are kept free from obstruction.**

The law requires that each passenger on a minibus has clear and unobstructed access to at least two exits.

The gangways and doors must be kept free from luggage and/or equipment.

Doors must be unlocked when passengers are on board.

xii. **Drivers must ensure that all passengers wear seatbelts.**

It is a policy of Dudley MBC that seatbelts are worn unless the passenger/driver holds a current medical exemption certificate.

When driving a minibus, the driver is legally responsible for ensuring that passengers under the age of 16 wear a seatbelt (in a car the responsibility is for those under 14).

Section 6

GUIDELINES FOR THE INSURING OF MINIBUSES AND THE REPORTING OF MINIBUS INSURANCE CLAIMS

(1) INSURANCE

COMPREHENSIVE INSURANCE COVER

All fleet operated minibuses which are owned and or operated by Dudley MBC and which are driven on Dudley MBC business, are insured under the council's fleet motor insurance policy on a FULLY COMPREHENSIVE basis. See page 28 for details of the Council's minibus insurance cover. Please see below for instructions relating to arranging insurance cover for school operated minibuses.

If a department or school opts to arrange their own motor insurance for any vehicle, cover must be arranged on a FULLY COMPREHENSIVE basis with a reputable insurance company.

INSTRUCTIONS FOR ARRANGING INSURANCE COVER FOR DMBC SCHOOL OPERATED MINIBUSES UNDER THE COUNCIL'S MOTOR INSURANCE ARRANGEMENTS

Schools must notify the Risk Management & Insurance Section *prior to acquisition* of any new or second hand minibus being purchased, whether purchased via Lister Road or not. Minibus disposals must also be advised at the time of sale. This will ensure that the necessary motor insurance cover is in place and that the council declares all minibuses insured by the council as required under EU regulations. This will also ensure that the correct insurance premium is charged. For those school minibuses insured via Dudley MBC's motor insurance arrangements, details of the insurance cover can be found on page 28 as referred to above.

MOTOR INSURANCE CERTIFICATE

If you need a Motor Insurance Certificate to tax the minibus or produce for the Police following an accident, a certificate can be obtained from the following:

Minibuses maintained by Transport Services

Please contact Transport Services on Ext 4515

Minibuses not maintained by Lister Road

Please contact the Risk Management & Insurance Section by telephoning on Ext 8508 and quoting the name of the section / school, the registration number of the vehicle and the reason for needing the certificate.

If you are taxing more than one minibus, of which one or more is not maintained by Transport Services then please contact the Risk Management & Insurance Section who will provide the necessary documentation for all vehicles to save on administration.

(2) GUIDELINES FOR THE REPORTING OF MINIBUS INSURANCE CLAIMS

Whether or not a minibus is insured through Dudley MBC's Motor insurance arrangements, all minibus drivers should make themselves familiar with the following procedures in case they are involved in an accident:

Stay calm and **DO NOT ADMIT LIABILITY**

INJURY OR DAMAGE TO ANY PROPERTY

If an accident involves injury or damage to ANY property, the Police **MUST** be notified either at the scene of the accident or as soon as possible, but in any case, within 24 hours of the accident. Take the name & number of the Police Officer together with the address of the Police Station. If the driver of a DMBC insured minibus is asked by the Police to produce their insurance documentation, a Certificate of Motor Insurance can be obtained from the contacts listed in Section 1 (INSURANCE).

INFORMATION

Obtain as much information as possible at the scene of the accident as it may be difficult to get the information at a later date and this information is needed to complete the Motor Accident Report Form (see below):

- Name & address of each driver involved in the accident (and the owner's name & address if the driver is not the owner)
- Name & address of any injured person(s) and whether they were driving, a passenger in the vehicle or a pedestrian, together with their injuries (if known), any medical attention required and the name of the hospital sent to (if applicable)
- Name & address of any witnesses
- Make, model & registration number of any vehicle involved
- Driver(s) / Owner(s) insurance details (i.e. name & address of insurer and policy number)
- Draw a sketch of the position of the vehicles and direction of travel
- Record any apparent damage to any vehicle(s) involved & take photos if camera / camera phone available

You should also provide the above information to anyone who requests it. See page 28 for details of Dudley MBC's minibus insurance cover

MOTOR ACCIDENT REPORT FORM

A Motor Accident Report Form must be submitted to the Risk Management & Insurance Section as soon as possible after any accident or theft, even if no damage has been sustained to the minibus and no-one has been injured. See page 29 for a Specimen Motor Accident Report Form and contact details for the Risk Management & Insurance Section

INSURANCE DETAILS FOR THOSE MINIBUSES INSURED VIA DUDLEY MBC'S FLEET INSURANCE ARRANGEMENTS

INSURANCE COMPANY : AIG

POLICY NUMBER : 21005013

DEPARTMENTAL EXCESS : £500 for fire, theft & accidental damage

PLEASE NOTE

All motor insurance claims are handled for AIG by Gallagher Bassett International as detailed below:

Gallagher Bassett International
Ground Floor, Tame House
Wellington Crescent
Fradley Park,
Lichfield. WS13 8RZ
Tel. 01543 442100
Fax. 01543 443101

Whilst these details can be passed on to other persons involved in an accident, all Dudley MBC minibus insurance claims must be submitted via the Risk Management & Insurance Section, as Gallagher Bassett will not accept claims direct from departments.

Claim forms can be obtained from:

Richard North,
Risk Management & Insurance Section,
3rd Floor, 4 Ednam Road,
Dudley, West Midlands,
DY1 1HL
(EXT: 8117).

and should be returned to the same. Alternatively, a copy of the form can be downloaded from the compliance toolkit.

http://insidedudley/du/env_transport_default.htm

Section 7

APPENDICES

Including advice for MPVs

1, Risk Assessment	31
2, Recommended Training	36
3, Passengers who use wheelchairs	37
4 MPVs	38
5 Large buses	39

EXAMPLE RISK ASSESSMENTS

SITE

RISK	PERSONS EXPOSED	CONTROL
Collision with pedestrians/buildings/other vehicles when entering or leaving site	Pedestrians Occupiers of other vehicles	<ul style="list-style-type: none"> • Ensure that drivers can see clearly into site before entering and along road/pavement when leaving • Ensure that gates/openings are of sufficient size for vehicle to manoeuvre easily into and from site, avoid tight or blind corners • Ensure that parked vehicles do not obstruct entrances or routes through site
Collision with pedestrians/buildings/other vehicles when being driven on site	Pedestrians Occupiers of other vehicles	<ul style="list-style-type: none"> • Ensure that routes through site are marked and kept free from parked vehicles or other obstructions • Ensure that openings are of sufficient size for vehicle to manoeuvre easily around site, avoid tight or blind corners • If blind corners are unavoidable use mirrors fit mirrors to buildings • Set, and display, speed limit, varied where necessary to allow for bends etc. • Do not allow vehicles into areas where large numbers of people will be, such as school break and arrival/leaving times without segregating vehicle and pedestrians • Set times, to coincide with mass people movements when minibuses should not move around site • Install pedestrian/vehicle segregation barriers

RISK	PERSONS EXPOSED	CONTROL
Collision with pedestrians/buildings/other vehicles when reversing on site	Pedestrians Occupiers of other vehicles	<ul style="list-style-type: none"> • Plan vehicle movement on site to eliminate or reduce reversing • Prohibit reversing in areas where people move around • Use person to guide vehicle movement and look out for pedestrians/other vehicles entering the reversing area • Ensure that mirrors are adequate to cover blind spots.
Injury to persons moving around vehicle parked on site	Pedestrians	<ul style="list-style-type: none"> • Park vehicle away from foot traffic • Ban smoking around the vehicle • Do not allow children to play around parked vehicle
Vehicle rolling into pedestrian areas/traffic routes	Pedestrians Occupiers of other vehicles	<ul style="list-style-type: none"> • If unable to park vehicle on level ground, park in a way that if it rolls it will not roll into buildings, pedestrians or other vehicle movements. If necessary use wheel chocks • Ensure vehicle is kept locked

VEHICLE

RISK	PERSONS EXPOSED	CONTROL
Vehicle being used with defect	Passengers Pedestrians Occupiers of other vehicles Driver	<ul style="list-style-type: none"> • Schedule safety checks (to PCV standard) by competent person • Enter into maintenance arrangement with competent workshop • Establish robust defect reporting system • Carry out pre-use driver checks

DRIVER

RISK	PERSONS EXPOSED	CONTROL
Unfamiliar with vehicle size or type	Passengers Pedestrians Occupiers of other vehicles Driver	<ul style="list-style-type: none"> • Arrange familiarisation before driving different vehicle • Drivers must drive empty vehicle for at least 30 minutes before carrying passengers • Assess/train driver • Check driver's qualification to drive vehicle • Provide training in use of additional vehicle equipment such as passenger lift and passenger/wheelchair restraint systems
Driver impairment	Passengers Pedestrians Occupiers of other vehicles Driver	<ul style="list-style-type: none"> • Make drivers aware that they must not drive when impaired through illness, tiredness, alcohol or drugs (recreational or medicinal)
Coming into contact with oils/fuels	Driver	<ul style="list-style-type: none"> • Provision and use of gloves, barrier creams and hand washing/cleaning facilities
Collision with other vehicles when carrying out vehicle checks or assisting/supervising passengers entering or leaving the vehicle	Driver	<ul style="list-style-type: none"> • Carry out checks away from vehicle flow • Provide training • Provision and wearing of High visibility garments
Tiredness	Passengers Pedestrians Occupiers of other vehicles Driver	<ul style="list-style-type: none"> • Ensure sufficient rest between driving duties and other work • Break for at least 15 minutes in every two hours when driving • During break/rest periods be free from other duties such as passenger supervision

JOURNEY

RISK	PERSONS EXPOSED	CONTROL
Driver distraction due to confusion over route	Passengers Pedestrians Occupiers of other vehicles Driver	<ul style="list-style-type: none"> Plan route in advance Include scheduled breaks at suitable points and in suitable areas Escort to map read and provide directions
Emergencies, breakdown or delays during journeys	Pedestrians Occupiers of other vehicles Driver	<ul style="list-style-type: none"> Have written plans in place and carried on vehicle Provide training for driver in dealing with emergencies/breakdowns Have plan for supervising passengers during emergencies and breakdowns Pre-arrange breakdown/recovery cover
Driver becomes incapacitated during journey	Passengers	<ul style="list-style-type: none"> Long journeys, spare driver Short journeys, spare driver at base able to travel quickly to minibus

PASSENGERS

RISK	PERSONS EXPOSED	CONTROL
Passengers with special travelling needs, medical conditions or challenging behaviour	Passengers Driver Other road users	Contact Adult, Community and Housing Services Transport or Children's Services Transport Team for advice

TRAILERS

RISK	PERSONS EXPOSED	CONTROL
Trailer or part of trailer, blocking emergency exits following collision.	Passengers	<ul style="list-style-type: none"> • Ensure that no part of trailer or its load hinder full opening of emergency doors when in normal or jackknife positions • Ensure that no part of trailer or its load hinder emergency door steps when in normal or jackknife positions
Reduced vehicle stability	Passengers Driver Other road users	<ul style="list-style-type: none"> • Ensure that gross weight of minibus and trailer combined do not exceed minibus train weight • Ensure that laden weight of trailer does not exceed 85% of unladen weight of minibus • Ensure that driver is trained and competent in towing trailers
Trailer un-roadworthy	Passengers Driver Other road users	<ul style="list-style-type: none"> • Establish pre-use checking regime for trailer • Arrange safety inspections and servicing for trailer
Driver not qualified to tow trailer	Passengers Driver Other road users	<ul style="list-style-type: none"> • Ensure that driver has correct category (B+E) on licence. <p>Note, drivers who have passed a separate DSA driving test for a minibus (cat D1 or D) will only be able to tow a trailer with a gross weight of 750kg or less.</p>

RECOMMENDED TRAINING SYLLABUS

The Responsible Person

Legislation

Section 19 permits
Construction and Use regulations – including speed limiters
Driver licensing
Vehicle checks, maintenance and safety checks
Drivers Hours*
E.C. Driver Training Directive*

Health and Safety

Health and Safety Executives guidance document 'Driving at work'
Planning for breakdown, fire, illness
Risk assessment
Falls from vehicles
Use of passenger lifts/ramps*

Operational issues

Driving assessments/Medical requirements
Planning for passengers with special needs/challenging behaviour
Use of escorts

The Driver

Legislation

Drivers Hours*
Section 19 permits
Construction and Use regulations – including speed limiters
Vehicle checks, defect reporting
Seatbelt use

Health and Safety

Health and Safety Executives guidance document 'Driving at work'
Dealing with Breakdown, Fire, Illness
Falls from vehicles
Use of passenger lifts/ramps*

Operational issues

Medical requirements/impairment
Dealing with passengers with special needs/challenging behaviour
Working with escorts

* **Where appropriate**

PASSENGERS WHO USE WHEELCHAIRS

Establishments intending to carry passengers in wheelchairs and/or use passenger lifts or ramps are strongly recommended to obtain a copy of the Department for Transport document 'Safety of Passengers in Wheelchairs in Buses' (VSE 87/1).

All vehicles that are intended to carry passengers who travel in wheelchairs should carry a suitable Wheelchair Tie-down Occupant Restraint System (WORTS). It is unlikely that any one WORTS will fit all types of wheelchair; it may be that more than one system will need to be carried. When not in use WORTS should be securely stowed.

Labelling on wheelchairs, seating units and accessories should clearly show whether they are to be used for transportation, if a specific or restricted range of WORTS is required and the location points for tie-downs or restraints.

Electric and some larger manual wheelchairs will not be suitable for every type of minibus due to their being too large or heavy for the ramps/lift, too large to fit through the doorway or too large to manoeuvre inside the vehicle. Some large wheelchairs will also require the wheels to be chocked.

Additional training must be provided for drivers and escorts who use vehicles equipped to carry wheelchairs and/or having passenger lift/ramps. This should include: -

- use of passenger lift/ramp
- proper use of wheelchair
- proper use of restraint systems
- assisting the passenger
- dealing with emergencies, such as equipment failure
- personal safety

When assisting passengers on and off the vehicle the driver/escort will frequently need to be in the road or near to other moving traffic; Hi-visibility jackets should be supplied and worn. Driver/escorts should wear appropriate footwear.

Operators should have a code of practice for the carriage of passengers who use wheelchairs.

Escorts.

Operators should have a code of practice for escorts. An editable copy is available in the minibus compliance toolkit on the transport Services intranet site http://insidedudley/du/env_transport_default.htm

VEHICLES WITH UP TO 8 PASSENGER SEATS (In addition to the driver) weighing 3,500kg or less (MPVs).

These vehicles, such as the Ford Galaxy, are classed as motor cars and not minibuses, however much of the information in the Guidance Section of the Minibus Policy will be of use to operators and drivers.

Drivers of these vehicles must: -

- have held a full (not provisional) category B licence for at least three years
- produce their driver's licence upon request
- hold a Dudley MBC permit to drive the vehicle
- be familiarised with the vehicle
- carry out a vehicle check before each use and record the findings
- report any defect immediately
- receive training on how to use on-board equipment such as passenger lifts or ramps and passenger/wheelchair securing equipment etc.
- not use a mobile phone whilst driving or stationary with the engine running

Operators of these vehicles must: -

- ensure that drivers are licensed and experienced to drive these vehicles
- ensure that drivers receive sufficient training/familiarisation on the vehicle and its equipment
- put in place a system for recording the date, time, driver and purpose/destination of all journeys
- ensure that vehicle checks are carried out
- put in place a system for recording defects
- put in place a system for ensuring that repairs are carried out
- ensure that the vehicle is maintained to at least the manufacturers standard
- ensure that the vehicle is comprehensively insured
- put in place a system for keeping records for at least 15 months
- carry out risk assessments on the driver, the vehicle, the journey and the passenger

LARGE BUSES - 17 passenger seats or more (In addition to the driver).

A few organisations, such as Social Services, are able to operate larger vehicles with 17 or more passenger seats in addition to the driver. The Minibus Policy and the Guidance notes apply to these vehicles, with the following exceptions.

S19 Permits

For vehicles with 17 or more passenger seats you must apply to the Area Traffic Office for a Large Bus Permit. For Dudley MBC vehicles the application will be made via Transport Services.

Maintenance

Although it is a strong recommendation for small buses (with 16 or fewer passenger seats) it is a legal requirement that larger buses are subject to a formal maintenance contract/agreement.

Drivers

Only the following may drive a large bus operating on a S19 permit:-

- A driver with a category D driving entitlement
- A bone-fide vehicle mechanic with a category C driving entitlement, involved in the road-testing and/or repair of the vehicle not carrying passengers other than those involved in the testing or repair. *Note: to take a bus with 17 or more passenger seats for MOT, the mechanic must hold a category D licence entitlement*

THE BLUE BADGE SCHEME

Groups who transport people with severe mobility problems or those who are registered blind may apply to the local authority for a blue badge. The issue is at the discretion of the local authority.

What follows is an outline of the rules, fuller information can be found in the minibus compliance toolkit: http://insidedudley/du/e/ev_transport_default.htm

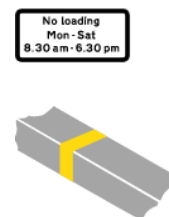
The badge should be used to help parking on streets; it is not automatically valid on car parks, private land (such as airport road systems), or in town centres where access is limited. Often car parks will have specially designated parking for badge holders. You must only use a blue badge when carrying a passenger(s) who is entitled to use it; misuse of a badge can attract a fine of up to £1,000.

Where you can park

Double or single yellow lines for up to 3 hours, unless a restriction is in place and displayed. When parking on a yellow line, or any place where a time restriction applies, you must display your blue badge and another sign, set to your time of arrival. You must not park in the same place or street within an hour of leaving it. You may, depending upon the information displayed locally, park free of charge on a meter.

Where you must not park

- Where you are causing obstruction
- During a time when a ban on loading or unloading is in force. Usually denoted by one or two yellow lines on a kerb and a sign bearing the times nearby.
- When there are double white lines in the centre of the road, even if one is broken.
- In a bus, tram or cycle lane during its hours of operation.
- On any clearway.
- On any pedestrian crossing.



Displaying the badge

The badge must be displayed on the dashboard or fascia or in the front window of vehicles without a dashboard. It must be displayed correctly; the front (the side with the wheelchair symbol) must be visible from the outside and the badge must be the correct way up.



Badges issued to groups must not be used for any other purpose than to aid those who are eligible for such a permit.

SEATBELT SIGN

This sign must be displayed at each seat position.

