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Bronte Academy Trust

Minibus Policy

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STATEMENT OF INTENT

Bronte Academy Trust understands that minibuses are a useful form of transport, and are often required for outings such as educational visits or trips.

This policy applies to all Trust schools and to owned, leased and hired minibuses. Safety of passengers, drivers and vehicles is paramount. The requirements below apply alongside the Educational Visits and School Trips Policy and the conditions of the vehicle insurance, lease and any operating permit.

1 LEGAL FRAMEWORK

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Road Traffic Act 1988 (As amended)
- The Motor Vehicles (Driving Licences) Regulations 1999 (as amended)
- Health and Safety at Work etc. Act 1974
- DfE and Department for Transport 'Driving school minibuses: advice for schools and local authorities'
- RoSPA 'Minibus Safety: A Code of Practice'
- GOV.UK 'Child car seats: the law'
- GOV.UK 'seat belts: the law'
- NASUWT, GMB, UNISON and Unite joint guidance on the use of minibuses
- Transport Act 1985 (as amended), including Section 19
- DVSA Section 19 and 22 permits and obligations and Guide to Maintaining Roadworthiness
- The Highway Code, including breakdowns and incidents

This policy operates in conjunction with the following Trust policies

- Educational Visits and School Trips Policy
- Administering Medication Policy
- Behaviour Policy
- Health and Safety Policy
- First Aid Policy

2 ROLES AND RESPONSIBILITIES

The CFO is responsible for:

- Ensuring that a full MOT on the school minibus is carried out by the required date.
- Providing appropriate tax and licensing for the minibus.
- Ensuring that the minibus is appropriately insured, and roadside assistance is organised.
- Maintaining the authorised driver register, verifying insurance eligibility, managing Section 19 permits and ensuring written maintenance arrangements and inspection schedules are in place for every vehicle.

The Executive Headteacher is responsible for:

- Each minibus journey will have one driver, with a second adult accompanying the journey where required by the journey risk assessment.
- Ensuring only drivers authorised by the CFO and meeting this policy and the insurance conditions are used.
- Undertaking generic and specific risk assessments
- Establishing an emergency procedure in the event of accidents or breakdowns
- Ensuring that a checklist is available for inspection in the minibus, detailing the checks that should be made
- Ensuring minibus drivers are aware and have a copy of the procedures to follow in the event of an emergency or breakdown
- Reviewing this policy

The driver and supervisor (if applicable) is responsible for:

- Ensuring that they are eligible to drive as per the eligibility requirements outlined in this policy
- Adhering to all relevant road rules and laws, including any driving hours regulation
- Ensuring that all passengers are wearing a seatbelt
- Ensuring that the minibus is roadworthy in accordance with the Road Vehicles (Construction and Use) Regulations (England, Scotland, Wales) 1986
- Undertaking checks and entering data into the vehicle trip sheet
- Ensuring that the minibus is used for the purposes outlined in the insurance policy
- Taking headcounts when boarding and exiting the minibus to ensure everyone is accounted for
- Ensuring that passengers continue to wear their seatbelts throughout the journey
- Ensuring passengers behave appropriately and responding safely to any disruption.
- Applying the restriction on food and drink, with planned exceptions for medical needs and hydration at safe stops.

Passengers are responsible for:

- Following all instructions issued by the driver and supervisors
- Wearing their seatbelt at all times during the journey
- Conducting good levels of behaviour, and not distracting the driver
- Conducting good levels of behaviour toward drivers in other vehicles
- Keeping all exits clear for the duration of the journey

3 ELIGIBILITY

Staff members will not be required or coerced into driving a minibus against their wishes.

A minibus has 9 to 16 passenger seats, excluding the driver. A vehicle described as a 17-seater is within this definition only if it has 16 passenger seats plus the driver's seat. Licence requirements depend on the vehicle's design, maximum authorised mass (MAM), transmission and use, rather than the number of passengers carried on a particular journey.

All drivers must be authorised in writing by the CFO before driving. The Trust's minimum driver age is 30, subject to the insurer's exact age eligibility conditions; no younger staff may drive. The Trust retains an upper age limit of 70 unless formally amended following insurer confirmation and assessment of applicable medical and licence requirements. The CFO will check the insurance schedule and obtain written clarification of any uncertain age boundary before authorisation. These are Trust and insurance restrictions, separate from statutory minimum ages.

Before authorisation, the CFO will inspect the current licence and check DVLA driving licence information with the driver's permission, including categories, restriction codes, expiry dates, endorsements and any automatic-only restriction. Checks will be repeated at least annually and following a reported change. Records will be held securely in accordance with the Trust's data protection and retention arrangements. A photocopy alone is not sufficient verification. Drivers must immediately report endorsements, disqualification, licence changes or medical changes affecting driving eligibility.

Drivers must have held a full car driving licence for at least two years. As a Trust restriction, drivers with more than three penalty points will not be authorised. Insurance conditions must also be satisfied. Drivers may

carry pupils before completing MiDAS training, providing the CFO has checked their driving licence eligibility, confirmed that insurance requirements are met and assessed them as competent to drive the vehicle safely. Drivers must complete MiDAS training and a practical assessment as soon as arrangements are in place. Reassessment will take place at least every four years, sooner if required by the training scheme or insurer, and following incidents or concerns. Training does not replace the required licence entitlement. The Trust will meet approved training and assessment costs.

Drivers relying on a Category B licence without D1 entitlement may drive only when the applicable exemption and, where relevant, Section 19 driver conditions are satisfied. The following conditions must be verified before each driver and vehicle combination is authorised:

- The driver meets the Trust's age restrictions and has held a full Category B licence for at least two years.
- The minibus is used within the UK for eligible non-commercial purposes by the Trust, with no commercial passenger service.
- The driver receives no payment or other consideration for driving beyond reimbursement of out-of-pocket expenses.
- Driving is genuinely voluntary and outside contractual driving duties. Staff with contractual driving duties or additional payment for driving must not rely on the voluntary Category B exemption. The CFO will check contracts and duties before authorisation.
- For petrol or diesel minibuses, MAM must not exceed 3,500 kg, with an allowance of up to 750 kg only for qualifying specialist equipment for disabled passengers. This is the vehicle's plated authorised maximum, not its empty weight or actual load on the day. Electric or hydrogen vehicles require separate verification of current licence and permit weight rules by the CFO before authorisation; no additional allowance will be assumed.
- No trailer is towed; an automatic-only licence may be used only with an automatic vehicle. Applicable medical standards and insurance conditions must be met.

A vehicle designed or adapted for no more than eight passengers plus the driver is distinct from a minibus with 9 to 16 passenger seats. A "lightweight minibus" label does not prove eligibility on a Category B licence. The CFO must check the seating specification and plated MAM. Carrying fewer pupils does not change the vehicle's classification.

A Section 19 permit is held by the Trust or another eligible operating body, not by an individual driver. It authorises qualifying not-for-profit operation without a full PSV operator's licence; it does not grant driving licence entitlement or remove Category B conditions. Hire or reward can include indirect payment or a transport element within a trip charge. The CFO will determine the appropriate permit or licensing arrangements before operation and obtain advice from the issuing body where the position is uncertain.

Where Section 19 permits are used, the CFO will obtain and monitor them, verify the permitted passenger classes and operation, and ensure the following:

- A standard permit is used only for a vehicle adapted to carry no more than 16 passengers, excluding the driver.
- The Trust satisfies the applicable eligibility and exemption conditions and operates transport without a view to profit.
- Passengers fall within the classes authorised on the permit; the service is not offered to the general public.
- Charges and the purpose of the service comply with the permit conditions and the applicable not-for-profit requirements.

- A separate valid permit and corresponding displayed windscreen disc are available for every vehicle operating under permits at the same time. Two minibuses operating simultaneously require two permits. The CFO will record permit details, expiry dates and permitted uses. A permit may be transferred between eligible vehicles but cannot cover two at once.

4 RISK ASSESSMENT

The Executive Headteacher of the school will conduct a risk assessment of the minibus; this will be reviewed **termly** and in response to any services, or following a breakdown/accident.

The Executive Headteacher of the school will also conduct a generic risk assessment of the minibus service, covering factors such as supervising drivers, parental consent, journey planning, accident procedures, etc.

Every journey must be covered by a suitable risk assessment, with additional assessment for specific hazards. It must address pupil ages, SEND and medical needs, staffing, restraints, loading, evacuation, weather, route, driving time and the driver's total working day. Overseas journeys require separate Trust approval and confirmation of licensing, insurance and operating requirements.

5 PROCEDURES

The keys for the minibus are held in the main school office.

The keys will be signed in and out of the main school office by the driver of the minibus – they will be signed back in as soon as the minibus returns to the premises.

The driver of the minibus will ensure that:

- They are legally entitled, and properly insured, to drive the minibus
- The minibus is well-maintained and legally allowed on the road
- The minibus has a valid MOT certificate and insurance

A designated competent member of staff will record weekly checks in addition to the driver's checks before use. The CFO will ensure a planned system of competent vehicle safety inspections, separate from MOTs and routine servicing. DVSA permit guidance recommends inspections at least every 10 weeks; intervals will be shortened where vehicle age, condition, use or risk requires. Inspection dates will be planned at least six months ahead and monitored. Rarely used vehicles will receive a safety inspection before returning to use as required by the guidance.

After each trip, the minibus must be cleared of letter and left clean and ready for its next use. The CFO will arrange a full valet when required.

The Trust will document responsibilities for servicing, safety inspections, MOTs, repairs and recovery in the lease or a written maintenance agreement. Outsourcing maintenance does not remove the Trust's responsibility for roadworthiness. The headteacher and designated site lead will monitor defects and escalate overdue inspections to the CFO. Vehicles with overdue required inspections or dangerous or potentially dangerous defects will be withdrawn until competent assessment and rectification confirm they are safe.

If the driver has any serious concerns regarding the safety or roadworthiness of the minibus during the journey, e.g. a flat tyre, a call will be made to the school office, and the breakdown procedure will be followed.

All defects must be reported promptly and recorded in writing. If there is any doubt about safety or legality, the driver must stop in a safe place and obtain competent advice before continuing. A defective windscreen wiper must not be assumed to be a minor defect. The record must show the defect, action taken, repair and authorisation to return to service. Defect reports recording faults, inspection and remedial-work records will be retained for at least 15 months, or longer under the Trust's retention schedule.

The minibus will not be used in any situations where a cause for concern has been identified by a qualified mechanic.

In addition to the weekly checks, and before beginning the journey, the driver will:

- Plan the journey so that it can be completed safely and comfortably in line with the passengers' needs
- Complete and record the pre-use walkaround checklist, including brakes, tyres, lights, mirrors, glazing, washers and wipers, fluids, warning indicators, seats, restraints and exits. Record nil defects where none are found.
- Ensure that they are fit and able to drive
- Check brake operation safely in accordance with training before the journey; do not undertake a test that puts passengers or others at risk.
- Ensure that all rubbish is removed and there is no damage to the inside or outside of the vehicle
- Check passenger numbers, total load and luggage against seating, MAM and axle limits. Secure luggage so that it cannot move or obstruct aisles and exits.
- Explain that food and drink are restricted while moving, with risk-assessed exceptions for medical needs. Arrange safe stops for hydration.
- Ensure passengers can board safely and floors remain clear and free from slipping hazards.

The driver of the vehicle will plan all routes accordingly, ensuring that the route is suitable and safe for use by minibuses.

Mobile phones are not permitted for use by the driver whilst they are driving the minibus. If the driver must make a call, they will pull over to a safe stopping place to do so. A mobile phone will be carried by at least one member of staff in case of an emergency. The member of staff will have the numbers of all parents of pupils on the minibus, as well as emergency contacts for the school.

A nominated person at the school, who is not on the journey, will be aware of the minibus's destination, route and expected times of arrival and return. Parents will also be informed of these details. The Office Manager will hold the mobile phone number for the member of staff accompanying the minibus and will act as the point of contact for parents during the journey.

Smoking, vaping, alcohol and illegal drugs are prohibited in the vehicle. Drivers must not drive while impaired by alcohol, drugs or medication. Prescribed pupil medication may be carried and administered under the Trust's medication arrangements.

The driver will ensure that the legal speed limits for minibuses are followed at all times during the journey.

Pupils will be required to maintain good levels of behaviour at all times whilst on the minibus, in line with the school's Behaviour Policy, and will avoid any behaviour that may distract the driver.

Any disruption on the minibus will be dealt with appropriately by supervisors, in accordance with the school's Behaviour Policy and Educational Visits and School Trips Policy.

The driver will take frequent breaks if they are travelling for long distances and will not drive continuously for more than two hours without a break away from the vehicle of a minimum of 30 minutes.

Drivers who are to travel for 50 miles or more each way will be allowed adequate time off from any other work to ensure that they are properly rested before commencing the journey.

6 HEALTH AND SAFETY

If a driver is taking any prescribed drugs or medicine that may affect their ability to drive, they are not permitted to drive the minibus.

A driver who is unwell or impaired must not drive. If this occurs before departure, an authorised, insured and suitably licensed replacement must be arranged or the trip postponed. If it occurs during the journey, stop safely and contact the nominated school contact to arrange an authorised replacement or alternative transport. A licence alone does not authorise a substitute driver.

A second authorised driver will accompany the journey where required by the risk assessment, taking account of distance, duration, fatigue and the driver's other work. Driver rest breaks must provide genuine rest; driving must not resume merely because another driver is available.

A first aid kit will always be available on the minibus and will be fully stocked, and at least one member of staff on the minibus will be a qualified first aider. Additional medication may be taken for pupils with medical conditions, though only staff trained to administer medication will do so, in accordance with the school's Administering Medication Policy.

Every passenger must have an individual suitable seat and wear the fitted seat belt or approved restraint whenever the vehicle is moving. Government minibus guidance requires children aged three or over to use an available suitable child car seat; where child seats are not fitted or are unsuitable, an adult seat belt must be used. Ordinary car age and height rules must not be presented as identical minibus requirements. As a Trust safety standard, restraint suitability will be assessed for every child, and children under three will not travel without an appropriate approved child restraint. Any child seat must be compatible with the vehicle and fitted to the manufacturer's instructions. SEND postural supports, harnesses, wheelchair restraints and occupant restraints must be approved, compatible and individually assessed; improvised or additional seat belts must not be fitted.

The driver will instruct all pupils to wear their seatbelts throughout the journey; supervisors will ensure that they continue to do this whilst on the minibus. All members of staff aboard the vehicle will wear their seatbelts at all times.

Passengers will ensure that all emergency exits are clear at all times.

Supervision levels must reflect pupil ages, needs and evacuation arrangements. Before locking the vehicle after each journey, the driver and supervisor (if applicable) must physically check all seats and spaces to ensure no child or belongings have been left behind.

7 BREAKDOWNS

In a breakdown, stop in a place of relative safety if possible and switch on hazard warning lights. Exit by the side furthest from traffic only where safe, and move passengers well away from the vehicle and traffic, behind a safety barrier where available and safe. Assess evacuation arrangements for pupils with SEND or limited mobility. If occupants cannot exit safely on a motorway or high-speed road, keep everyone in the vehicle with seat belts fastened and hazard lights on, and call 999 immediately for the police.

Once immediate danger has been addressed, contact the breakdown service and nominated school emergency contact. Do not delay calling 999 where there is danger. Breakdown, insurance and school emergency numbers must be readily accessible in the vehicle and on the accompanying staff member's phone, including for journeys outside office hours.

On a motorway, use an emergency telephone where safely accessible and follow the operator's instructions. Give the location, vehicle details, passenger numbers and any evacuation or SEND needs. Do not attempt repairs or place a warning triangle on a motorway. Do not return to the vehicle until it is safe and authorised. Before leaving an emergency area, use the emergency telephone and follow advice for rejoining the carriageway.

All passengers will be kept together in one group and pupils will be constantly supervised.

Pupils must remain supervised at all times. The driver may seek assistance only if it is safe and the supervising adult remains with the pupils; pupils must never be left alone.

The driver, supervisors and pupils will all wait in the safe place until it is safe to return on the minibus. If passengers are unable to return on the minibus, appropriate transport will be arranged by staff in the school office to collect pupils, supervisors and the driver.

8 ACCIDENTS

An emergency procedure will be established by the Executive Headteacher prior to beginning the journey, and a copy will be kept inside the glove compartment in the minibus. The emergency procedure will be communicated to the driver and all supervisors on the journey, to ensure they are fully aware of the process to be followed.

In the event of an accident, emergency services will be contacted immediately and supervisors will remain with pupils at all times. The driver or a supervisor will contact the school office as soon as possible after calling the emergency services.

All passengers will remain at the scene of the accident in a safe place until the emergency services and any additional transport has arrived.

Give first aid within staff competence and follow emergency-service instructions. Do not move injured people unless they are in immediate danger. Record all collisions, injuries and near misses and notify the headteacher, CFO and insurer as appropriate. Exchange legally required details and comply with police reporting duties where applicable. The journey must not continue unless the vehicle and driver are safe and fit, and continuation is authorised following assessment of the incident. A competent vehicle inspection must be arranged where damage or safety is uncertain.

9 MONITORING AND REVIEW

This policy will be reviewed annually by the Trust Board, and sooner following changes in legislation, guidance, insurance, fleet arrangements or significant incidents.

This policy will also be reviewed in response to any incidents or accidents that occur.

All drivers and supervisors are required to familiarise themselves with the procedures in this policy when planning a journey.

Declaration of Responsibility
This Minibus Policy is submitted for review and formal adoption by Bronte Academy Trust on

.....16 November 2026.....Date of approval



.....Signed Chair of Trustees



.....Signed Chief Executive Officer