



AYSCOUGHFEE HALL SCHOOL MINIBUS POLICY

Policy Aims

At Ayscoughfee Hall School, minibuses may be used to transport pupils and staff. Their use facilitates many pursuits, such as educational visits and inter-school sporting fixtures. Ayscoughfee Hall School is grateful to staff who undertake driving duties as part of their day. This policy aims to clarify how minibuses should be driven and used in a safe and legal manner.

Scope and Purpose

Ayscoughfee Hall School adheres to the current guidelines set out by the Department for Transport (DfT), Department for Education (DfE) and the Association of Chief Police Officers (ACPO) when driving a school minibus:

- [Driving school minibuses advice: schools and local authorities - GOV.UK](https://www.gov.uk/government/consultations/driving-school-minibuses-advice-schools-and-local-authorities)

This policy applies to all minibuses that Ayscoughfee Hall School owns/ hires or leases.

Overarching Principles

What is a minibus and who can drive one?

A minibus is a motor vehicle with between 9 and 16 passenger seats (but not including the driver's seat).

Drivers who hold a full D1 (or D) PCV entitlement can drive minibuses for hire or reward.

There are, however, circumstances when a driver can drive a minibus within the UK when they hold a car (category B) licence:

If you passed your category B driving test **before 1 January 1997**, you can drive a minibus that is not being used for hire or reward as these licences automatically include category D1 (101) (not for hire or reward) entitlement. This means school staff with such a licence can drive a minibus carrying up to 16 passengers with no maximum weight restriction on the vehicle.

Drivers with a D1 + E (101) (not for hire or reward) entitlement can tow a trailer over 750kg.

If you passed your category B driving test on or after **1 January 1997**, you may drive a minibus that is not being used for hire and reward if the following conditions are met:

- you are over 21 and have held a category B licence for at least 2 years
- the minibus is used by a non-commercial body for social purposes
- you receive no payment other than the recovery of your out-of-pocket expenses (e.g. fuel and parking costs)
- you provide the service on a voluntary basis
- the gross vehicle weight of the minibus is not more than 3.5 tonnes (or 4.25 tonnes if including any specialist equipment to carry disabled passengers)
- you do not tow a trailer.

The weight of the vehicle (sometimes known as the Maximum Authorised Mass or MAM) is shown on a metal or plastic plate situated in the engine shell or on a door pillar.

These arrangements only apply when driving the minibus in the UK, not if driving abroad.

At Ayscoughfee Hall School, only designated drivers may drive the school minibus(es). The Bursar holds copies of driving licences and all other relevant documents relating to these drivers.

What is Hire and Reward?

A vehicle which is operated for hire or reward is one where payment is made, in cash or in kind, for the carrying of passengers, or matters which include the carrying of passengers, irrespective of the person to whom the payment is made. This includes direct payments such as a fare or an indirect payment which gives a person an opportunity to travel. A minibus is used for hire or reward if there is a clear and logical link between payment and the transport provided and that link is not too remote. A minibus is not being used for hire or reward, for example, where the pupils are not obliged to pay in exchange for the right to be passengers.

What is 'On a Voluntary Basis?'

If the terms and conditions of an employee's contract of employment state that driving minibuses is a part of their duties, or if a member of staff is paid an additional sum specifically for driving the minibus (other than a sum to reimburse the teacher for out of pocket expenses on a cost recovery basis), such staff would be deemed as receiving payment for driving a minibus and would not be driving the minibus 'on a voluntary basis'. In these cases, a full D1 licence (or a full D licence) would be needed.

However, if an employee's contract of employment does not state that driving minibuses is part of their duties and they receive no additional payment for driving a minibus to take pupils on trips or to social sporting events (except for reimbursement for out-of-pocket expenses), they will be driving on an extra-contractual, voluntary basis. In this case, the category B licence would suffice (assuming the conditions are met) even if the school reimburses the teacher for fuel, parking and tolls.

Out of Pocket Expenses

Out of Pocket Expenses are remuneration for any fuel costs, parking fees, toll fees or similar expenses incurred as part of a trip. These should be claimed, if applicable, by following the school's expenses procedures. The driver should receive no other payments for driving the minibus.

What are Social Purposes?

Social purposes are non-commercial activities, which include school trips and travel to sporting fixtures within the school day or as an extra-curricular activity.

Where a minibus is operated to provide passenger services for commercial purposes, the driver must hold a full D1 licence (or a full D licence, which entitles the holder to drive minibuses).

Responsibilities and Arrangements

Headteacher Responsibilities

The Headteacher is responsible for overseeing this policy and ensuring that the correct insurance is in place.

Bursar Responsibilities

The Bursar is responsible for ensuring the minibuses:

- Are only driven by competent and checked drivers. By ensuring drivers complete an annual Minibus Vehicle Driver Declaration Form, which can be obtained from the Bursar.
- Are only driven by staff on the Register of Approved Drivers, for whom the Bursar holds a list.
- If the Bursar/Headteacher becomes aware that a driver has points/other endorsements or outstanding court hearings or driving offences, they must make a judgement as to the appropriateness of them continuing to drive minibuses. As a matter of course, a single three-point endorsement should result in a discussion about responsible driving. For anything beyond that a risk assessment should be completed and discussed with the Headteacher before a decision is made.
- Are properly maintained.
- Are only driven when Driver and Daily Vehicle checklists have been completed. Each checklist is featured in a logbook, kept in each vehicle. Spot checks and audits of paperwork must be completed on a monthly basis.
- Have a certificate of motor insurance confirming that they are insured in them at all times.
- Are covered by a breakdown recovery service.
- Are covered by a section 19 permit (see section 4.7).
- The vehicle has a current MOT, tax and is properly serviced and maintained.

Driver's Responsibilities

It is the driver's responsibility to check that the school's insurance policy covers a minibus in the circumstances in which it is proposed to be driven.

A copy of the certificate of motor insurance will be kept in the vehicle listing the vehicles covered by the school Insurance Policy. This will be re-issued on an annual basis by the Bursar. Drivers must check that the vehicle they are driving is on this list.

It is also up to drivers to check whether their driving triggers other legal requirements, such as the laws in respect of drivers' hours, tachographs and Certificates of Professional Competence. The rules are complex and should be carefully consulted if a total drive time of longer than 4.5 hours is going to be undertaken on any one journey.

It should be normal practice for the driver to take a break of 25 minutes after no more than 2 hours of driving. This is fully described in section 1.4 of the guidance below:

- <https://www.gov.uk/guidance/drivers-hours-passenger-vehicles>

Other driver responsibilities:

1. Must complete the 'Minibus Vehicle Driver Declaration Form' (obtainable from the Bursar) on an annual basis for review by the Bursar/Headteacher.
2. Approved drivers must be medically fit to drive and required by law to inform the DVLA at once if they have any disability, which is or may become likely to affect their fitness as a

driver, unless they do not expect it to last for more than three months. They must also inform the Bursar/Headteacher.

3. Approved drivers must inform the Bursar/Headteacher if they receive any endorsements or disqualifications on their driving licence.

4. Approved drivers are responsible at all times for the operational safety and legal requirements of their vehicle, and must check the following before taking the minibus out on the road:

- a. The vehicle is insured
- b. Lights, horn, stop lights, mirrors and reflectors
- c. Brakes and steering
- d. Windscreen washers and wipers
- e. Visually inspect the tyres for inflation, damage and wear
- f. That there is no damage to the body of the vehicle that is likely to cause harm
- g. Seat belts are working correctly
- h. The interior is safe and luggage is appropriately stowed
- i. That all moveable seats are fully secured

A pre-journey safety checklist is provided in a logbook in each vehicle to record these checks every time the vehicle is driven.

5. Daily checks must also be undertaken the first time the bus is used each day and recorded in the vehicle's logbook. This can be undertaken by the first driver or a competent person in the school who helps with the management of the minibuses.

6. Drivers must adhere to the current speed limits.

7. All fines and fixed penalty tickets are the responsibility of the driver of the minibus.

8. A minimum of two adults will always be onboard the minibus whilst children are in transit. Risk assessments must be completed in line with the school's Educational Visits Policy to determine the appropriate number of adults per group being transported.

9. Take a 25-minute break away from the wheel when they have driven continuously for 2 hours.

10. Wear seat belts at all times unless they hold a medical exemption.

11. Not use mobile phones when the vehicle's engine is running, whether the vehicle is moving or not. This includes hands-free mobile operation.

12. Not drive under the influence of drugs or alcohol.

13. Drive in accordance with the Highway Code.

14. In the event of a road traffic collision, obtain the following information:

- a. Stop and check whether you need the emergency services

- b. Are there any witnesses? If so, record their details
- c. Exchange details with other drivers
- d. Do not discuss or admit liability
- e. Call for further assistance if required and inform the school
- f. Make a sketch drawing/take a photograph of the accident site.

MOT and Routine Maintenance

Each vehicle must be serviced and maintained in line with the manufacturer's recommendations and the vehicle service maintenance schedule must be completed at every routine service.

The vehicle must have a current MOT certificate on file if it is over one year old (from date of first registration). MOTs are required every year. (N.B. This is a higher requirement than that required for private vehicles).

Requirements for equipment and signage

The requirements concerning the equipment for a minibus used under a permit are given in Schedule 7 to the Road Vehicles (Construction and Use) Regulations 1986.

The following items of equipment must be carried:

- a) At least one fire extinguisher which complies with the specifications for portable fire extinguishers, which has a minimum test rating of 8A or 21B and contains water or foam.
- b) A suitable, clearly marked, first aid box which is readily available for use. The following items must be kept in it in good condition and be in date:

- 10 antiseptic wipes, foil packed
- 1 conforming disposable bandage (not less than 7.5 cm wide)
- 2 triangular bandages
- 1 packet of 24 assorted adhesive dressings
- 3 large sterile unmedicated ambulance dressings (not less than 15cm x 20cm)
- 2 sterile eye pads, with attachments
- 12 assorted safety pins
- 1 pair of rustproof blunt-ended scissors.

- c) The vehicle must have a notice showing the maximum number of passengers it can carry painted in letters at least 2.5 cm high. This must either be on the outside of the vehicle at the back, or inside the vehicle as long as it can be seen from the outside. The seating capacity notice must also include the maximum provision for passengers in wheelchairs.

- d) Minibuses carrying children to and from school must display a yellow reflective sign at the front and rear of the vehicle showing 2 children in silhouette.

Section 19 Permit Scheme

A section 19 permit is usually issued free of charge and is given to non-profit making bodies that run transport services which benefit the community. Section 19 permits are issued to bodies to enable them to provide transport for their own members or other people whom the organisation exists to help. The vehicle must not be used for carriage of members of the general public. It must also not be used with a view to profit, nor incidentally to an activity which is itself carried out with a view to profit. Category B and Category D1 (101) (not for hire or reward) licence holders are entitled to drive minibuses that are operated for hire or reward in accordance with a Section 19 permit. Apart from the hire or reward test, the same driving licence requirements as described in this policy apply.

Permits are available free, or for a small fee, from the Traffic Commissioners and designated bodies such as local authorities and various church organisations. Once a permit has been obtained, a member of staff can drive a minibus under the conditions outlined above. Permits are valid only within the UK, the permit's disc must be displayed in the vehicle's windscreen and needs to be renewed every 5 years.

Moveable/Removable Seats

Some of our minibuses have movable seats. Drivers are responsible for ensuring they are safe and secure before driving the minibus. Visual and physical checks must be undertaken. The physical check is by attempting to rock each seat.

Only competent members of staff can move, remove or replace seats. Competence is gained in two ways:

- Seat removal/moving practical training.
- By being shown by an experienced colleague.

Competence must be recorded on the register of approved minibus drivers kept by the school.

Chairs that are not in the minibus must be stored securely and, in a location, where they will not be subject to damage.

This policy should be read in conjunction with:

- Educational Visits Policy
- Risk Assessment Policy

Any reference to the word 'School' implicitly includes all its associated clubs/activities including Kids Club. This policy also applies to EYFS

PREPARED BY	AUTHORISED BY	LAST REVIEWED	REVIEW DATE	NO. OF PAGES
SMT	Emma Gibson	Autumn 2026	Autumn 2027	6