

## SCHOOL MINIBUS DRIVERS - POLICY AND PROCEDURES

### THE LEGAL POSITION

*Information taken from <https://www.gov.uk/driving-a-minibus>*

#### Drivers whose licence was first issued on or after 1<sup>st</sup> January 1997

Do not have automatic D1 entitlement to drive minibus of over 8 seats. Must take a separate test to allow them to do so, or they will be uninsured.

#### **NB See S19 Minibus Permit scheme below for exceptions**

#### Drivers whose licence was first issued before 1<sup>st</sup> January 1997

Entitlement to drive cars (shown as group A (B for automatics) on an old style licence or as category B and D1 101 (*not for hire or reward*)) on a new style licence) entitles the holder to also drive a minibus if

- Driver is 21 or over
- Minibus has a maximum of 17 seats including driver's
- It is not being used for hire or reward – if it was, would normally need PCV entitlement (**again see S19 scheme below for exceptions**)

Note that when such a licence comes up for renewal, the minibus entitlement D1 will not automatically be renewed – a special application needs to be made which involves meeting higher medical standards.

### **S19 Minibus Permits**

These are issued to organisations, on application, concerned with education, religion, social welfare, recreation or other activities of benefit to the community – this covers the school. Such a permit allows exceptions to the above rules as follows:

#### *Making a charge for use of the bus*

Permit holding organisations can make a charge for the use of the bus if the service is provided for their own members or for groups of people whom the organisation serves (eg pupils). The service must not be provided to members of the public, and charges must be made on a not for profit basis (see below re paid minibus drivers)

### *Drivers with a licence first issued on or after 1/1/97*

With a permit, drivers who first held a licence to drive cars after 1/1/97 (ie with no automatic D1 entitlement) **can drive buses covered by S19 permits if**

- It is being driven on behalf of the school for social purposes
- Driver is 21 or over
- Driver has held a car (category B) licence for at least 2 years
- Service is being provided on a voluntary basis
- Minibus has a maximum of 17 seats including driver's
- Minibus max weight is  $\leq 3.5$  tonnes

Note that when driving a minibus under these conditions:

- It must be driven within the UK; and
- A trailer must not be towed.

### *Paid minibus drivers*

Bus drivers can be paid for driving the minibus under the S19 permit if they hold a **full PCV licence or**

- Their licence was first issued before 1/1/97 ; **and**
- They have the D1 101 entitlement

## **SCHOOL POLICY**

- All members of teaching and support staff are to provide a copy of their driving licence for their personnel file.
- Any changes to that licence (renewal, endorsements etc) **MUST** be notified to the Bursar or Headmaster's PA by the member of staff as soon as possible
- The School reserves the right to carry out spot checks on driving licences at any time
- It is entirely at the School's discretion whether a member of staff will be permitted to drive any of the School's minibuses.
- No-one under 21 will be allowed to drive any of the School's minibuses under any circumstances
- To drive a school minibus with children on board, members of staff must have undertaken an assessment carried out by an independent assessor appointed by the School. This will be operated on the same lines as the Hertfordshire Road Safety Unit's assessments, which are compulsory for drivers of HCC minibuses.
- The permit issued following successful completion of such an assessment will remain valid for a maximum of 5 years, but members of staff may be required to undergo a re-assessment earlier than this at the school's discretion.
- A member of staff who has not been assessed (and who is over 21) will be permitted to drive a school minibus in an emergency situation only.
- Before and after each trip in the minibus, drivers must run through the Daily Checklist kept within each bus, and report any problems encountered or damage incurred (internal or external) to the Bursar immediately after the trip.