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date 20 March 2013



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Dear Headteacher

Central Bedfordshire Council requirements for use of a minibus by staff in a Community School

In September 2012 a number of update sessions were delivered across Central Bedfordshire in relation to the new Educational Visits and Journeys policy. Judging by the number of questions that were raised with regard to use of school minibuses there seemed to be a lack of clarity around local authority requirements regarding the use of minibuses. On further investigation, it appears that the most recent advice issued to schools was in June 2009 from the then Road Safety Team.

I have raised this issue with the Central Bedfordshire Transport Team and Children's Service Management. As a result I have been asked to write to Community Schools to confirm council requirements. This letter is also being circulated to Academies to offer guidance based upon national requirements and legislation.

I appreciate that most, if not all schools will have robust policies in place that includes all of the key advice listed below. The purpose of this letter is to clarify requirements where there is any degree of uncertainty.

Every school must have a policy governing the use of the school minibus. The policy should include a nominated member of staff who is responsible for ensuring compliance to the policy. The person responsible must ensure that:

1. the minibus has a regular schedule of maintenance and that this is clearly documented.
2. the minibus has a valid MOT (where applicable) and insurance certificate in place.
3. systems are in place for identifying vehicle defects and for rectifying as soon as is possible.
4. systems are in place for routine maintenance (tyre pressure, washer bottles, coolant etc).
5. new drivers meet the requirements of the council (see below) and are familiar with school policy and procedures.
6. 'Driver Assessments' are arranged for new drivers and every three years thereafter.
7. licences of existing drivers are checked every six months for points accrual.

In order for an employee to drive the school minibus, the following requirements must be met:

- The driver must be a minimum of 21 years old and with two years previous driving experience.
- The driver must hold a D1 category on their licence.
- The driver should have no more than 6 penalty points on their licence.
- The Driver must successfully complete a 'Driver Assessment' and **renew this on a three year cycle**. Please note that a full MIDAS test is no longer required for drivers of minibuses that *do not* have a tail lift. (The assessment can be arranged through the CBC Driver Safety Assessor James Robertson ph. 0300 300 6144.)

- If a tail lift vehicle is used, then a full MIDAS test must be undertaken and also renewed on a three year cycle.

Please note that where insurance is arranged through Central Bedfordshire Council Insurance Team these are all pre-requisites. Failure to meet requirements could invalidate the insurance in the event of a claim and also lead to the driver unwittingly committing a criminal offence.

Should a driver:

- accumulate more than 6 live point on their licence
- have a collision of any kind in the minibus
- have complaints about their driving confirmed
- acquire a medical condition that would affect their ability to drive
- reach the age of 60

then they are no longer authorised to drive a school minibus in Central Bedfordshire.

It is important that Senior Management Teams in school understand that if a minibus is found to be unroadworthy or driven by an unlicensed driver at the time of a road accident that has resulted in a death, then a prosecution could follow under the Corporate Manslaughter Act 2008. It is therefore important that all of the key points listed in this letter are included within your school policy and practices in order to demonstrate that all reasonably practicable measures have been taken to ensure the safety of pupils.

I trust this information is useful. If you require further information or wish to discuss any of the points raised, please contact me using the details given.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Pete Hardy', written over a light blue horizontal line.

Pete Hardy
Compliance & Risk Adviser