

# **East Midlands Academy Trust**

## **Transport Policy & Procedure**

**'Every child deserves to be the best they can be'**

Scope: East Midlands Academy Trust & Academies within the Trust	
<b>Version: V2</b>	<b>Filename:</b> EMAT Transport Policy
<b>Approval: March 2025</b>	<b>Next Review: April 2027</b> <i>This Policy will be reviewed by the Head of Shared Services every two years</i>
<b>Owner:</b> Head of Shared Services	<b>Union Status:</b> Not Applicable

Policy type:	
Non-Statutory	Replaces Academy's current policy

Policy type:
<p>Please review and ensure you are compliant in school if you operate minibuses.</p> <p>Tailor the annexes to meet local requirements and ensure risk assessments are in place and up to date.</p>

## Revision History

Revision Date	Revisor	Description of Revision
March 2025 v2	Head of shared Service	Minor amends references disciplinary's proceedings for driving a mini bus under the influence of alcohol or drugs, or smoking in an EMAT vehicle.
April 2023 v1	Estates Manager	New EMAT Transport Policy introduced

## 1.0 Statement of Intent

East Midlands Academy Trust (EMAT) transport policy and procedure document relates to EMAT's minibus transport used to transport students and staff, This applies to EMAT's fleet of mini buses and also any hired minibuses provided without a driver. A minibus is defined as a motor vehicle constructed or adapted to carry more than 8, but not more than 16 seated passengers in addition to the driver.

The document aims to ensure that EMAT complies with current legislation and guidance concerning the maintenance and driving of the school minibus and applies to all colleagues who drive a minibus on behalf of the trust. It covers additional requirements which relate specifically to minibuses, over and above the requirements for general driving which is detailed in EMAT's Business Use Policy. This policy has been written to provide any members of staff who may need to drive vehicles on behalf of the trust with the necessary knowledge and information in the light of growing legislation regarding the qualifications, insurance, operating, servicing and inspection requirement to safely operate minibuses and carry passengers.

Any member of staff who has queries regarding the driving of a minibus or the condition of the vehicle should bring them to the attention of the trust Shared Services team.

## 2.0 Regulatory context and requirements

EMAT is considered by law to provide transport services "not for hire or reward", and as such are regulated by the Public Passenger Vehicles Act (1981), the Road Transport Operator Regulations 2011 and associated guidance as published by HM Senior Traffic Commissioner and the Driver and Vehicles Standards Agency (DVSA).

Organisations that provide transport on a 'not-for-profit' basis can apply for permits under Section 19 of the Transport Act 1985. These permits allow the holder to operate transport services for hire or reward without the need for a full public service vehicle operator's (PSV 'O') licence. All schools operating a transportation service must have and display a current Section 19 permit for the relevant number of vehicles. Further guidance can be found:

[Section 19 and 22 permits and obligations: not for profit passenger transport - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

In order to drive a minibus on behalf of the Trust, drivers must have one of the following:

- A category D1 (unrestricted) driving licence
- A category D1 (101) driving licence and a valid MIDAS certificate
- A valid and current B Category licence for 'Minibus Lite' Vehicles

### 3.0 Responsibilities

#### 3.1 Trust Estates Manager

The management and maintenance of EMAT's fleet is the responsibility of its Estates Manager who should ensure that all of the fleet has appropriate contracts in place to ensure the fleet is maintained in accordance to this policy and process document, they are expected to provide support, advice and guidance to the Operations Manager/Senior Administrator/Nominated school admin member in each school that operates mini buses. They will:

- Carry out a Risk Assessment for each minibus stored centrally on EMAT risk management system and review annually or after significant change.
- Ensure a qualified Passenger Transport CPC Holder is nominated as the Trusts Transport Competent Person.
- Ensure Section 19 permits are managed and kept up to date for all minibuses.
- Review this policy and amend as required to ensure compliance to UK law and best practice.
- Read and acknowledge this policy document and all future revisions of it.
- Be responsible for auditing all schools to ensure they are complying with the responsibilities indicated in section 3.2 and 3.3 on a termly basis.

#### 3.2 Operations Manager/Senior Administrator/Nominated school admin member

Operations Manager/Senior Administrator/Nominated school admin member is responsible for ensuring that:

- Risk assessments are in place for all minibus driving activities
- Anyone who drives a minibus has read and acknowledged this policy document and all future update
- Termly checks of employees driving licenses are undertaken to ensure they are valid.
- Drivers hold the appropriate driving licences
- First use checks are carried out by the driver of the minibuses prior to use and appropriate action taken for any problems identified.
- Servicing, maintenance schedules and MOTs are carried out at correct intervals.
- Driver hours activity logs are completed.
- A declaration is completed by each minibus driver annually and retained on file.

#### 3.3 Driver

The driver will:

- Be 21 years or older
- Have been in possession of a full driving licence for at least 2 years.
- Meet the required 'Group 2' medical standards (drivers should check with their GP if unsure)
- Be legally responsible for ensuring the vehicle is roadworthy and legally compliant during its use

- Have read and acknowledged this document and all future versions
- Carry out minibus first use and walk-around checks prior to and following use, taking appropriate action for any problems identified, without exception. If faults that might affect the vehicle or passengers' safety are found, the vehicle must not be used until remedied. Notify any faults to the Operations Manager/Senior Administrator/Nominated school admin member and Estates Manager
- Ensure a permit 19 Permit is displayed.
- Ensure the use of seatbelts, or appropriate restraints at all times.
- Comply fully with all road traffic laws, respecting speed limits and drive in accordance with the Highway Code.
- Ensure frequent rest breaks are taken on longer journeys.
- Report any changes to the licence status to the school and the Shared Services team. Permission to continue to drive must be sought from the School Business Manager who obtains confirmation from the insurance company that the driver can continue to drive.
- Be responsible for ensuring there is adequate fuel in the vehicle and that it is not left empty following a journey.

#### 4.0 Authorisation to drive the minibus.

All drivers who wish to drive a minibus heavier than 3.5 tonnes must hold a D1 licence and have passed MIDAS training (or equivalent). Drivers wishing to drive a minibus under 3.5 tonnes, must have a B licence and have also passed MIDAS training (or equivalent). If the driver passed their driving test before 1997, then a minibus category would have automatically been added to the licence.

Further information can be found on the DVLA website:

[Driver and Vehicle Licensing Agency - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The driver is NOT authorised to drive until any of the conditions stated above are met.

All drivers have a duty of care to inform the Operations Manager/Senior Administrator/Nominated school admin member or Estate Manager team immediately if they:

- Have a collision in the minibus unless it was clearly the fault of a third party
- Have complaints about their driving confirmed
- Acquire a medical condition that would affect their ability to drive
- Fail to comply with the guidance on eyesight which can be found at: Driving eyesight rules - GOV.UK ([www.gov.uk](http://www.gov.uk))
- Reach 70 years of age and cannot provide a medical certificate to satisfy the requirements of the insurers.
- There is a change in DBS clearance.

(Any of the above would require a MIDAS refresher course to be passed before the member of staff would be permitted to drive the minibus).

Reasons for accumulating points on a licence will be checked by the Operations Manager/Senior Administrator/Nominated school admin member and referred to the shared services team

#### **4.1 EMAT Mini Bus Driver training**

All colleagues who drive an EMAT Minibus must undergo and maintain the relevant training:

- MIDAS
- Drivers to hold a full driving licence with the correct entitlement to drive the minibus.  
*Notifications will be within the vehicle files to confirm which entitlement is required.*

#### **4.2 Rest Breaks**

On a long-distance journey when a member of staff is driving a minibus, they will not be expected to supervise children during the journey. The trust, therefore require that there is an adequate number of adults to drive and supervise the pupils.

Driving when tired greatly increases the risk of an accident. The Highway Code recommends that drivers take a minimum break of at least fifteen minutes after every two hours of driving. When a driver undertakes a single planned journey of up to two hours, a rest break is voluntary.

Drivers should use common sense to ascertain their suitability to drive at a given time.

#### **4.3 Recording of Mileage**

All routes will require manual records to be kept of the mileage at the start and end of a journey. Such records to be retained by the school and 12 months of records must be made available to enforcement officers when requested.

#### **4.4 Arrangements for school runs and/or journeys**

The driver must ensure before setting off that the students are wearing seat belts and that they have been informed that seat belts must be worn at all times. Appropriate child restraints must be used for younger children. On no account are lone passengers to be seated in the front seats alongside the driver.

Any luggage is to be securely stowed and not obstructing passageways or exits.

Routes and collection points must be pre-defined, and registers provided by the school office for drivers to record pupils both getting on and getting off the vehicle.

Drivers or chaperones must be provided with mobile telephones in order that they may contact the school or the emergency services if required or be reached in the case of changes to collection/drop-off arrangements. In accordance with the law, drivers must not use their mobile telephones whilst driving.

## 5.0 Accidents and Incidents

In all cases, the driver must stop at the scene and telephone the emergency services, if appropriate.

If an accident occurs, the minibus driver or additional member of staff should ensure that the students are safe and uninjured. The staff and students must go to an area of safety away from the traffic and staff must stay with the students at all times.

The driver should ensure that the details of other vehicles at the scene are taken and recorded as follows:

- type of vehicle
- number plate
- insurance details of any drivers involved
- name, address and telephone number of other drivers and any people involved
- Above details for recorded for any independent witnesses.
- Where possible, photographs should be taken of the accident/incident from different angles to assist with any insurance claim.

The driver must then telephone the senior member of staff at the school who is on call, to advise them of the incident. The senior member of staff will assess the situation and advise accordingly. The driver should keep the senior staff member up to date on events at all times.

Before continuing with the journey, the driver should ensure that the vehicle is roadworthy.

## 6.0 Breakdown

The driver will have the contact details of the recovery service which are also retained in the minibus.

The staff and students must go to an area of safety away from traffic and staff must stay with the students at all times.

If the minibus breaks down, the driver must call the recovery company who will attempt to repair the vehicle and if unable to, will arrange for the bus to be recovered back to the academy.

If the minibus cannot be repaired at the roadside, the driver must call the school who will arrange transport to return the staff and students to the academy.

## 7.0 Maintenance of Vehicles

Under the licensing requirements, vehicles must be maintained in accordance with *the DVSA Guide to Maintaining Roadworthiness Requirements* and the required records completed and kept on site for a minimum of 15 months. It should be noted that the next safety check is measured from the date of the last safety check. Servicing, maintenance schedules and MOTs are to be carried out at the correct intervals.

This information is to be collated and maintained by the nominated school person.

## 8.0 Driving Rules

- Normal speed limits apply to the school minibus.
- The trust will not refund fines or other costs incurred by drivers as a result of any road traffic or parking offences. The driver must inform the School Business Manager of any penalty points received whilst using the school minibus; failure to do so will result in disciplinary action.
- Under normal road conditions, a minibus is not permitted to be driven in the third lane of a motorway.
- Vehicles are not permitted to be driven by anyone who has consumed any amount of alcohol or illegal substance, anyone found doing so will face disciplinary proceedings and will be reported to the law enforcement agencies.
- All accidents, whether they cause injury to persons or damage to property, are to be reported to the School Business Manager as soon as possible after they occur.
- Keys must not be left in an unattended vehicle at any time. Whenever the vehicle is left unattended, all windows are to be closed and doors locked.
- Vehicles must not be driven at any time if the load being carried exceeds the maximum allowable weight capacity.
- Smoking, including e-cigarettes is prohibited in the minibus at any time, any colleague found smoking in an EMAT vehicle or vehicle hired on behalf of the trust will face disciplinary proceedings.
- Never use a mobile phone as the driver of the vehicle unless it is parked in a safe place with the engine switched off.
- Whilst driving the minibus, drivers should ensure that all doors are unlocked to assist with emergency egress if the need arises.
- Drivers should ensure that internal lights are off whilst driving so that their vision is not impaired.

## Appendices

1. Driver Declaration
2. [Section 19 and 22 permits and obligations: not for profit passenger transport - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/section-19-and-22-permits-and-obligations-not-for-profit-passenger-transport)
3. Example transport service agreement with parents and form



4. Example of record of contact details for pupils
5. Generic risk assessment documents for tailoring and adoption in school
6. Minibus Daily/First Use Check Form

Appendix 1

## Driving Declaration

### Declaration of Fitness to Drive a Minibus on behalf of the Trust

To be completed upon first use and annually at the start of each academic year.

#### Driver Declaration

Name of Driver: \_\_\_\_\_

I declare that (delete the one that does not apply):

- I hold a current vehicle driving licence
- I hold a current vehicle driving licence which has a D1/B entitlement shown on it which permits the holder to drive a minibus **OR**

I hold a current vehicle licence with a D1 (101)/B category and I hold a current MIDAS certificate

- I am aware of the need to declare any illness that would impair my ability to drive in a safe and controlled manner
- I am aware of the need to inform the School Business Manager or Trust Estates Manager in writing if I receive any penalty points
- I am responsible for notifying the School Business Manager of any change to my circumstances
- I have read and agree to adhere to the EMAT Transport Policy
- I agree to follow the Trust protocols and procedures when driving the minibus

<b>DRIVER TO COMPLETE</b>		<b>FOR OFFICE USE ONLY</b>	
I agree that the School Business Manager can view my driving licence information online and have generated the following code to do so:		(Please attach evidence of DVLA checks)	
DVLA Driver Code:		Signature:	
Licence Number:		Name:	
Is the licence held a D1 (101) category:	YES/NO	Date:	

MIDAS certificate number:			
Renewal Date:			
Signature of Driver:			
Today's Date:			

Please attach a copy of both sides of the current licence and MIDAS certificate to the declaration

## Appendix 2 – example letter for parents of pupils using school transport to and from the academy

Dear Parent/Carer

**Re: School Transport – SCHOOL NAME**

Your Child, \*\*\*\*\*, will be collected from \*\*\*\*\* at approximately \*\*\*\*\*

. And dropped off after school at \*\*\*\*\* at approximately \*\*\*\*\*

Driver Details:

Name: \*\*\*\*\*

Mobile Phone Number: \*\*\*\*\*

Route Number: \*\*\*\*\*

It is strongly recommended that you get your children ready and wait at the designated stop about five minutes before the specified time in the morning to ensure a smooth run of the timetable, although parents must appreciate that traffic and weather may affect the punctuality of the driver.

It would also be greatly appreciated if, when a child does not need to be collected in the morning because of illness, an early start for a school trip or other reason, that **parents contact the driver before 07.00am by telephoning him/her on the mobile number given above, as he/she may be already on the road and thus avoid unnecessary delays.** If your child does not require transport home from school because of a medical appointment, going to a friend etc, please ensure that a letter is sent into school on the named day so that we can advise the driver accordingly.

**PARENTS ARE REMINDED THAT A FULL TERM'S NOTICE MUST BE GIVEN BEFORE WITHDRAWING A CHILD FROM THE TRANSPORT LIST**

Please complete the slip attached and return it to the School Office as soon as possible. This information remains in the folder on the bus in case of emergency. We would like to make you aware that the safety of your child is our prime concern and seatbelts must be worn at all times.

If a pupil is not wearing a seatbelt, then a verbal warning will be issued. On a second occasion parents will be informed. If a third occasion arises then the pupil will be suspended from the bus for a period of two days. If the child continues to disobey these rules, then we will have no choice but to suspend the pupil from the bus for the remainder of that term.

Likewise, we expect all pupils to behave in an orderly manner whilst travelling on the bus and not distract the driver unless it is of paramount importance. Any pupil found to be acting inappropriately will be given one verbal warning, on the second occasion parents will be informed and on the third occasion be suspended for a period of two days and continuance of unruly behaviour will incur suspension from the minibus service for the remainder of the term.

At the start of term, a system of allocated seating will be introduced. Each pupil travelling on the minibus will be responsible for their seating area. In the event of wilful damage, the pupil will be held accountable and the cost of repair will be passed onto the parent/guardian for reimbursement. Please kindly complete and return the attached contact details and confirmation sheet.

Yours sincerely,

[authorised signatory; role in school]

**Appendix 3 – Agreement form and record of contact details**

Please sign and return to:

[relevant person in school]

<b>CHILD'S NAME:</b> [completed in school]	
<b>DRIVER'S NAME:</b> [completed by school]	
<b>BUS ROUTE:</b> [completed by school]	
<b>HOME TELEPHONE NUMBER:</b>	
<b>HOME ADDRESS:</b>	
<b>PARENT/CARER 1 NAME:</b>	
<b>PARENT/CARER 1 CONTACT NUMBER:</b>	
<b>PARENT/CARER 2 NAME:</b>	
<b>PARENT/CARER 2 CONTACT NUMBER:</b>	

**I have read the paragraph regarding seatbelts, allocated seating and behaviour whilst travelling on the school transport and accept these as a condition of my child's continuous travelling on the minibus**

Signed: .....	
Date:	
Name:	
Relationship to pupil:	

Appendix 4

MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS 1999

GENERAL RISK ASSESSMENT - FORM RA2

DEPARTMENT/SCHOOL/UNIT	SCHOOL NAME	REF NO.	TR02
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TASK/OPERATION BEING ASSESSED	SCHOOL TRANSPORT VEHICULAR ACCIDENT OR INCIDENT
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PURPOSE/METHOD OF WORK
<p>Transportation of pupils to and from school, or on scheduled school trips. Dealing with Roadside accident or incident</p>

SPECIFIC LEGISLATIVE REQUIREMENTS
<p>Health &amp; Safety at Work etc. Act Management of Health &amp; Safety at Work Regulations Road Traffic Legislation</p>

LEVEL OF SKILL/TRAINING REQUIRED
<p>First aid awareness Awareness of requirements of special needs passengers Appropriate licence for the driving of the vehicle</p>

CHEMICALS/MATERIALS INVOLVED	HSC NO.	ASSESSMENT DATE

SPECIFIC WORK EQUIPMENT PROVIDED

MAIN HAZARDS IDENTIFIED	WHO WILL BE AFFECTED	CONTROL MEASURES TO REDUCE THE RISK
Vehicular accident	Driver Pupils Members of public	<p><b>If no-one is physically injured:</b></p> <ul style="list-style-type: none"> <li>- Make a careful check of all individuals in party. If you suspect that there may be shock or delayed shock ask the advice of authorities present (police, paramedics) and if desirable take pupils to hospital for check</li> <li>- phone school contact with exact details of what happened, what your plan is and arrange regular update phone times</li> <li>- school contact to alert principal who will assess the situation</li> <li>- school contact to phone parents, and inform them of details and when next information will be given</li> </ul> <p><b>If members of the party are injured:</b></p> <ul style="list-style-type: none"> <li>- ensure that a competent member of staff accompanies any injured pupils to hospital</li> <li>- ensure that the rest of the party follow to hospital for check-up for shock</li> <li>- ascertain, at the appropriate time, the extent of injuries and the release times of the uninjured and lightly injured</li> <li>- phone school contact with exact details of what happened, what your plan is and arrange regular update phone times</li> <li>- school contact to alert principal who will assess the situation</li> <li>- inform parents about the injured and extent of injury and the uninjured. Note names of any parents who intend to go immediately to the hospital</li> </ul> <p>consider inviting other parents to the school for updates, counselling, joint decisions</p>

MANUAL HANDLING RISK
Has a manual handling risk been identified? NO
What is the risk considered to be? Low

PERSONAL PROTECTIVE EQUIPMENT REQUIRED
High Visibility Jacket for use in case of accident



Is a further detailed assessment required? NO
If the answer to the above question is YES a separate manual handling assessment will be required to fulfil the requirements of the Manual Handling Operations Regulations 1992.

Is training and instruction required	NO
Is there need for special accommodation	NO
Is there need for test/examination	NO

FREQUENCY OF MONITORING				
N/A	3 Months	6 Months	1 Year	> 1 Year
			X	

ASSESSMENT REVIEW PERIOD				
< 1 Year	2 Years	3 Years	4 Years	> 4 Years
	X			

Signed-----

Post/Title-----

Date-----

Appendix 4a

MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS 1999

GENERAL RISK ASSESSMENT - FORM RA2

DEPARTMENT/SCHOOL/UNIT	SCHOOL NAME	REF NO.	TR 01
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TASK/OPERATION BEING ASSESSED	SCHOOL TRANSPORT
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PURPOSE/METHOD OF WORK
<p>Transportation of pupils to school premises from pre-determined pick up points. Transportation of pupils to pre-determined drop off points from school premises</p>

SPECIFIC LEGISLATIVE REQUIREMENTS
<p>Health &amp; Safety at Work etc. Act Management of Health &amp; Safety at Work Regulations Road Traffic Legislation</p>

LEVEL OF SKILL/TRAINING REQUIRED
<p>First aid awareness Awareness of requirements of special needs passengers Appropriate licence for the driving of the vehicle</p>

CHEMICALS/MATERIALS INVOLVED	HSC NO.	ASSESSMENT DATE

SPECIFIC WORK EQUIPMENT PROVIDED

MAIN HAZARDS IDENTIFIED	WHO WILL BE AFFECTED	CONTROL MEASURES TO REDUCE THE RISK
Slips trips, Bags falling from storage area  Road traffic accident  Fire	Pupils and Staff	<p>It is essential to ensure that anyone who may be driving the minibus or other means of transport has the appropriate licence to do so and has received adequate driver training if required.</p> <p>It is essential to ensure all modes of transport have been fitted with seatbelts and are worn by the driver and all passengers.</p> <p>All loose baggage to be stowed away securely and not to be allowed to block walkways.</p> <p>There are to be NO right turns made across any dual carriageway, where this is unavoidable, only right turns, risk assessed and documented and authorised in writing by the Estates Manager are to be used</p> <p><b>Any right turns across a dual carriageway must be risk assessed and authorised in writing by the transport manager.</b></p> <p>Appropriate fire-fighting equipment is installed and checked at regular and scheduled periods.</p> <p>Adequate fire-fighting instruction is given to the driver.</p> <p>It is essential to ensure that adequate means of first aid is provided on all school transport.</p> <p>Adequate means will be arrived at by carrying out an assessment of first aid in relation to the hazards involved in the actual journey</p>

MANUAL HANDLING RISK	
Has a manual handling risk been identified?	No
Is the risk considered to be	Low
Is a further detailed assessment required?	No
If the answer to the above question is YES a separate manual handling assessment will be required to fulfil the requirements of the Manual Handling Operations Regulations 1992.	

PERSONAL PROTECTIVE EQUIPMENT REQUIRED	
High Visibility Jacket for use in case of breakdown/accident	
Is training and instruction required	NO
Is there need for special accommodation	NO
Is there need for test/examination	NO

FREQUENCY OF MONITORING				
N/A	3 Months	6 Months	1 Year	> 1 Year
			<b>X</b>	

ASSESSMENT REVIEW PERIOD				
< 1 Year	2 Years	3 Years	4 Years	> 4 Years
	<b>X</b>			

Signed-----

Post/Title-----

Date-----