

USE OF VEHICLES AT SCHOOL

Last update: July 2018

Scope

This document attempts to summarise the:

- various legal requirements that apply to the use of vehicles in the workplace and does not attempt to replace the legislative requirements that are in place
- KLB School requirements when vehicles are used for school purposes. This will cover use of the school minibuses, minibuses hired by the school, use of parent vehicles to transport children and also use of staff own vehicles for school purposes.
- requirements of our insurers as well as those detailed in vehicle operator licensing Section 19 permits.

Use of a School Minibus

Staff are encouraged to use school minibuses when appropriate for business/school purposes. Detailed requirements on the use of these follow.

If the number of pupils to be transported exceeds the capacity of one minibus then consideration needs to be given to taking two minibuses or hiring a coach

Use of Personal Vehicles for Attending Meetings etc

If a member of staff attends one or a few occasional meetings for which a mileage claim is made, it is most likely that normal car insurance will provide cover. However, if this is a regular occurrence and within the normal expectations of the contract (whether formalised or implied), then insurance cover should include Business Use. The school's Own Business Use policy is only for exceptional 'one-off' events, not for regular, routine journeys in connection with the employment of the member of staff.

If staff are unsure of their cover, they are advised to contact their own insurance company. If further advice is required concerning the school's Own Business Use cover, please ask the Finance Office for advice.

Staff will be required to comply with the licensing and roadworthiness requirements contained in this document.

Use of Personal Vehicles to Transport Students to School Related Events

For school employees

- drivers must have passed their test a minimum of 2 years prior to the visit taking place;
- responsibility for the insurance of private vehicles rests with the owner or driver concerned. The school cannot provide insurance to protect the interests of the driver if an accident were to happen;
- All prospective drivers who are employees must have a "business use" extension to their "domestic and pleasure" policy;
- The school insurance's 'Own Business Use' extension for staff without business use on their policy only applies to unforeseen emergencies. Transporting students to a school visit would not, in general, be seen as an emergency;
- All employee drivers should produce documentary evidence for the Education Visits Co-ordinator (EVC) when seeking approval for the visit to take place. The documents required are:
 - Copy of photocard driving licence
 - Up to date print out of driving licence information from DVLA
 - Copy of the relevant car insurance certificate
 - Copy of current MoT certificate (where applicable)

For non-employees

The school cannot provide insurance to protect the interests of the driver and passengers if an accident were to happen. However, where a volunteer driver is undertaking journeys, the driver should seek clarification from his/her insurance company and notify the Visit Leader. Particularly where any financial transaction is involved, insurance cover must be checked.

For students

Students are not permitted use their own vehicles for driving themselves or others whilst on school visits. Where there is a potential for students to drive, in any letter to parents, the school shall make its policy clear and actively encourage pupils to take the trip's authorised transport.

Use of Parent Vehicles to Transport Pupils

Whilst parents may on occasions take their own and other children to events/activities, this should **not** be at the request of the school unless the requirements listed below are met. Where copies of documents are required by the school, they will be retained for a period of 1 month after the activity takes place in order to provide quick reference if any concerns are raised. After 1 month, the documents will be shredded.

- 1) The parent must have a valid driving licence. A photocopy should be retained by the Head Teacher's secretary of the photo card and a recent print out of the Driving Licence Information from DVLA (no more than 14 days before the activity takes place).
- 2) The car must be suitably insured. A photocopy should be retained by the Headteacher's secretary of the current certificate of insurance. It is understood that most insurers would regard such use as within the provisions of Domestic and Pleasure Use. If a claim was contested by an insurer on the grounds that this is Business Use, the school's Own Business Use policy would provide cover.
- 3) The car must have a valid MoT where applicable. A copy of the current MoT certificate should be retained by the Headteacher's secretary.
- 4) If not specified on any of the above, a record must be kept of the registration number of the vehicle to be used.
- 5) It is almost inevitable that the parent will have unsupervised access to the children in the car in which case a DBS check needs to be carried out. This can be avoided if a member of staff is also transported in the car although it is likely that, in most cases, this will not be possible.

From the above, it is clear that in almost all cases, it will be far more efficient to find an alternative to asking a parent to transport pupils on behalf of the school.

If there is a school event outside the school day, for example a sports fixture on a Saturday morning, parents may arrange with each other to share the transport of pupils. This will be a private arrangement and fall outside the school's responsibility.

Risk Assessments

All school trips involving pupils will need to be covered by an agreed risk assessment. Unauthorised trips must not be undertaken. A monthly audit is undertaken by the School Visits Coordinator to ensure that this is the case.

Specific Use Requirements

Driver Requirements

All drivers will be required to hold a valid appropriate licence (including manual gearbox where applicable) for the vehicles they are driving. Evidence of this must be provided to the school in advance of the vehicle use.

To drive a school minibus, the following conditions must be met:

- the driver has held a category B driving licence for at least 2 years;
- the driver is over 21 years of age;
- a non-commercial body is using the minibus being driven for social or curriculum purposes;
- the driver provides his/her services and receives no consideration for doing so, other than out of pocket expenses;
- the minibus has up to 16 passenger seats; and,
- the minibus is up to 3500kgs (3.5 tonnes) in weight, 4250 kgs (4.25 tonnes) where the minibus has been adapted to carry wheelchair passengers.
- staff driving minibuses with pupils will be required to have successfully completed a minibus driving course in the previous 3 years. These course are arranged and provided free of charge by the school and can be arranged by contacting the Headteacher's secretary. Staff using minibuses must check their licence and audits of bookings will be carried out by the School Visits Coordinator to ensure that the requirements have been met.
- no person with more than 6 penalty points on their licence will be able to use a school vehicle or carry pupils in their own vehicle. All drivers will be required to provide details of any endorsements/penalty points to the Headteacher's secretary. This information will be validated on an annual basis. This will be carried out as part of the annual data collection process.

As both of the school's minibuses have a Gross Vehicle Weight of less than 3,500 kgs, staff who meet the above conditions can drive either bus.

The school will monitor the validity date of driving licences (this shall be coordinated by the Headteacher's secretary). Users should note that photocard licences have to be renewed/updated every 10 years or when address details/name details change. Users without a current licence will not be able to use a vehicle for school purposes.

One of the minibuses is fitted with facilities for wheelchair users. If this facility is to be used, the driver of the minibus must ensure that they have received suitable training in advance of the activity taking place.

In addition, based on accident statistics the school has a policy of not allowing drivers over the age of 70 or under the age of 21 to drive pupils.

Insurance, Roadworthiness, Road Fund Licence

All vehicles used for school purposes must be adequately insured and in a roadworthy condition.

Insurance Requirements

Minibuses will be covered by school insurance whether school or hired.

Staff should note that a photocopy of their insurance certificate needs to be provided to the Headteacher's secretary prior to them using their own vehicle on school business.

For an individual using their own vehicle, if an insurance claim is made, it is possible that the insurer will regard the transport of pupils as Business Use and state this is outside the scope of the Social, Domestic and Pleasure Use which applies to most policies.

If the member of staff has transported pupils due to unforeseen circumstances, as a 'one-off' arrangement, the school's Own Business Use policy will provide cover. However, if transporting pupils is a regular occurrence for a member of staff, their insurance policy should extend to Business Use as the school's Own Business Use policy may not provide cover.

Roadworthiness Requirements

Legal responsibility for the roadworthiness of a vehicle on the road rests with the user.

Whilst school minibuses are subject to an annual MOT and monthly roadworthiness inspection by the Site Team, our Section 19 exemption certificate requires drivers to undertake a simple vehicle inspection before using a minibus. This should be recorded using the KLB Checksheet. This covers the more common items and amongst other things allows users to record any damage to the vehicles. This checklist will be provided with the keys. The checklist must be returned to the Facilities Manager and it will be retained to ensure compliance with the Section 19 requirements.

Where a member of staff uses their own vehicle, it is required to have a current MOT and be free of any known defects before being used for school purposes. Individuals are required to ensure that this is the case and to provide a copy of their current MOT to the Business Office in advance.

Road Fund Licence / Section 19 Exemption Certificate

All vehicles used on school business must comply with the Vehicle Excise Duty (VED) requirements. The Facilities Manager will ensure that the school minibuses comply however individuals using their own vehicles must ensure that they comply with the VED requirements.

As a school the minibuses hold a Section 19 exemption which removes the need to hold a full Operator Licence. The Facilities Manager will ensure that valid certificates are held for the school minibuses and that these are displayed on the windscreen of each vehicle. The Facilities Manager will oversee the specific requirements of the Section 19 certificate.

Charging Regime

For costing purposes, school departments will be charged 45p per mile for using the school minibuses for trips.

Staff using their own vehicle will be reimbursed based on the current policy held by Finance Section.

Booking and Using a Minibus

Staff are required to use the booking system available on the School Intranet for booking minibuses.

Users of a school bus will be required to return the vehicle inspection and mileage sheet along with the keys and to leave the vehicle in a fit state for the next user, i.e. fuel replenished and vehicle clean/cleared of rubbish.

Last Updated: 29 June 2018

Approved by Full Governing Body: 11 July 2018