



**TRANSPORT OF PUPILS POLICY
(Use of staff/volunteer vehicles)**

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|-----------------------------|---------------------|---------------------------|-----------------|
| LAST REVIEW NEXT | October 2020 | REVIEW PERIOD | Annually |
| NEXT REVIEW DATE | October 2021 | OWNER | |
| TYPE OF POLICY | | APPROVAL LEVEL | |

Introduction

This policy provides a clear framework for staff or volunteers when transporting young people, in their own vehicles. This can be for the purposes of offsite education or other education related activities.

Note: When minibuses are being used, “The Policy on the Use of Minibus” must be referred to and followed.

These guidelines must be followed to ensure that the duty of care to staff and young people is being fulfilled by assessing and managing the associated risks and implementing appropriate control measures, where necessary.

Drivers

Staff are not specifically required to transport young people in their own vehicles unless it is part of their job description or they have indicated that they are willing to do so.

It is the responsibility of the member of staff/volunteer to hold the appropriate licence and ensure that their vehicle is road worthy. Staff transporting pupils must notify their manager of any impending disqualification or conviction.

Drivers must ensure that their insurance stipulates use of car for work purposes and transportation of pupils.

Drivers must be at least 21 years of age and less than 70 years of age and should have at least 1 year’s previous driving experience.

Drivers must be in good health and be physically capable of driving safely. If drivers are on any medication they must ensure that the preparation does not affect their ability to drive, if in doubt they should seek medical advice.

Where volunteer drivers are using their vehicle for transporting young people, it is good practice to request that they complete a “Volunteer Driver’s Form”. (See Appendix B)

NB: Soft tops on cars must be kept down at all times when pupils are travelling in the car.

Transportation

Members of staff should discuss any proposals for transporting young people in their own vehicles with their manager and agree appropriate arrangements. A risk assessment must be completed.

It is advised that drivers are accompanied by another adult when transporting young people as this significantly reduces the risk of distraction, accident and injury and allegation of misconduct or abuse. If this is not practically possible the risks must be assessed and measures put in place to ensure that the risks are reduced to the lowest level.

Emergency transportation of pupils

Circumstances may sometimes arise where the risk of not transporting a young person is greater than doing so, for example where a child is left at school without transport and the distance to home is too far or too dangerous to walk or where the pupil is unwell and requires medical attention at a level below the threshold for an ambulance callout.

Parental Permission.

Parents must give their permission for pupils to be transported in a staff member's vehicle. Where it is not practically possible to gain written consent then verbal consent should be recorded noting date and time.

If no type of consent is obtained then transportation should not be permitted. (See Appendix A for Parental Consent Form).

Risk assessment and management.

A risk assessment must be completed for all journeys except where there is an emergency, where a standard risk assessment is available. Risk assessments should consider individual pupil needs such as known tendency to abscond and/or increased risk of allegations.

Staff must take time to explain to pupils the risks posed by unsafe behaviour whilst travelling in a moving vehicle prior to embarking upon any journey

Clear behavioural expectations must be provided before any journey together with an understanding of actions that will be incurred by failure to comply.

If there are any concerns during the journey a dynamic "on the spot" risk assessment should be carried out to determine if there is a significant risk to the driver or passenger and appropriate action taken.

Young people should never be left in the vehicle unattended.

The driver is responsible for ensuring that all passengers are wearing suitable restraints at all times. (See Child Restraint Section).

A mobile phone should be available for use when stationary, in the event of an emergency and drivers should be aware of the Academy's Use of Mobile Phones Policy.

Pupils with Medical Needs.

If a pupil has a known medical condition that is likely to require additional support/medication, a copy of their Care Plan plus appropriate medication must be available. A parent or member of staff who has received training in administering support/medication should accompany the young person in the vehicle. The risk assessment should reflect medical needs.

Vehicles

It is the responsibility of the driver to have the correct insurance and to notify their insurers that the vehicle may be used for the transportation of young people on employer's business. It is also the driver's responsibility to ensure that the vehicle is in a roadworthy and serviceable condition and has a current and valid tax certificate and MOT.

Drivers must ensure that the number of passengers carried safely is in accordance with –

- manufacturer's recommendations or specifications
- the number of available seat belts

Exceeding the vehicle specification on the number of passengers carried may invalidate insurance policies and expose passengers to unacceptable risk.

Vehicle and Driver Documentation

Sutton House Academy is required to check that staff who have agreed to transport pupils in their own vehicles have the following documentation at the commencement of employment and then annually.

- Current MOT certificate (if vehicle is over 3 years old)
- Valid road fund licence (tax disc)
- Appropriate insurance to cover transporting young people on employer's business
- Full driving licence – any queries regarding endorsements should be discussed with the WCC Insurance Team

Accidents/Incidents

In the case of a road traffic accident, these must be reported by the driver to their own insurance company and passengers must be advised of the name and address of the insurance company, if wishing to make a claim.

All accidents/incidents that occur during working hours must be recorded in line with the Academy's Accident Reporting Policy and Southend Borough Council Accident Reporting systems.

Child Restraints

When staff are transporting pupils they should ensure that the correct type of restraint/seat belt is used and that it meets the required standards. Restraints should also be checked before use to ensure that they are well-maintained and fit for purpose, with no defects.

Child restraints are the collective term in the seat belt wearing legislation for baby seats, child seats, booster seats and booster cushions. Modern child restraints are designed for specific weight ranges of child. They have to meet UN ECE Regulation 44.03 (or subsequent) type approval standard and be marked with a label showing an 'E' and 44.03 or .03 and the weight range of child, for which it is designed. These are approved for use in forward-facing or rear-facing seats.

From 18th September, 2006, legislation requires all young people in cars, vans and other goods vehicles to be carried in the correct child restraint from birth until either they are 135 cm (4'5") tall or have reached the age of 12 years (whichever comes first). They must then use a seat belt.

Use of Booster Seats

Sutton House Academy provides booster seats for use when transporting pupils under the age of 12 or under 135cm tall. Booster seats must be fitted in accordance with the manufacturer's instructions.

Seat belt adjusters are comfort devices and not safety devices.

The table on the following page shows the requirements of the regulations -

****** Example – A seven year old who is 140 cm tall is over the height for a child restraint and may use an adult seat belt. A twelve year old who is 130 cm tall is over the age threshold and therefore may use an adult belt.

For more detailed information on child restraints visit www.roadsafety.gov.uk click on Think! – Children – Child Car Seats.

Child Restraint Requirements as from 18th September 2006, for cars, vans and goods vehicles

| | Front Seat | Rear Seat | Responsibility |
|--|--------------------------------------|--|-----------------------|
| Driver | Seat belt must be worn | Seat belt must be worn | Driver |
| Child from 3rd birthday up to 135 cm in height (approx. 4'5" or 12th birthday, whichever is reached first) ** | Correct child restraint must be used | Where seat belts fitted, correct child restraint must be used. Must use adult belt if the correct child restraint is unavailable: <ul style="list-style-type: none"> • in a licensed taxi/private hire vehicle • for a short distance of unexpected need • two occupied child restraints prevent fitment of a third <p>A child 3 and over may travel unrestrained in the rear seat of an older vehicle where seat belts are not available</p> | Driver |
| Child over 135 cm (approx. 4'5") or 12 or 13 years | Seat belt must be worn | Seat belt must be worn | Driver |
| 14 years or over | Seat belt must be worn | Seat belt must be worn | Driver |

Appendix A

**Transportation of Pupils using Staff Cars.
Parental Consent Form**

Dear Parent/Guardian/Carer

Please sign below to give your permission for your son/daughter to be a passenger in a vehicle that is owned, maintained and driven by a member of staff employed by Sutton House Academy. All staff are issued with guidelines for transporting children and young people safely (a copy is available on request).

Date/s of journey _____

Destination _____

I give permission for my son/daughter (name) _____ to travel in a vehicle driven by a member of staff employed by Sutton House Academy on the date and to the destination shown above.

Print Name _____ Signature _____

Note: Every effort should be made to obtain written consent but where this is not practically possible verbal consent must be given and details recorded below.

Name of person giving consent: _____

Reason given for journey: _____

Date and time consent given: _____

Information taken and recorded by: _____
(Name of Academy staff)

Volunteer Driver's Form

To the Headteacher of Sutton House Academy

Name of driver _____

Address _____

_____ Postcode _____

Vehicle Make _____ Model _____

Registration _____

- I hereby confirm that I am willing to use my own vehicle for transporting young people where this is necessary and approved by the Headteacher/Manager.
- I accept responsibility for ensuring that the vehicle is in a safe, roadworthy condition and has appropriate insurance cover.
- I confirm that I have a valid driving license.
- I confirm that I have read the Policy on the Safe Transportation of Pupils (use of staff cars to transport pupils).
- I accept that, on request I will supply copies of required documentation (e.g., MOT certificate, full driving licence, insurance certificate)

Signature _____ Date _____