

YEW TREE COMMUNITY SCHOOL



MINIBUS USE POLICY

APRIL 2018



This policy sets out the procedures, and terms and conditions for using the minibuses operated by Yew Tree Community School.

Our minibus service is only available to non-profit making community and voluntary groups in Oldham and the surrounding areas.

The minibus is operated under the Small Bus Permit legislation.

In some circumstances organisations holding their own Small Bus Permit will be able to use the minibus using their permit.

It is important to realise we cannot guarantee that a member will be able to make all the bookings they would like.

Yew Tree Community School

Reviewed by Governors 08 March 2018

MINIBUS

The saloon seats are fitted with inertia reel restraint systems. Passengers must use the available restraint systems at all times, unless they hold a medical exemption certificate.

The maximum seating capacity (including the driver) is 17. The minibus is equipped with:

- A first aid kit
- A fire extinguisher
- A de-icer and scraper
- Warning triangle
- Torch
- High visibility waistcoat

TERMS & CONDITIONS OF VEHICLE USE:

GENERAL

1. Drivers and passengers are not allowed to smoke in the Yew Tree Community School Minibus. Yew Tree Community School reserves the right to refuse use from groups who ignore this regulation, and reserves the right to levy a charge of £40.00 for clearing up debris caused by smoking.
2. Vehicles must be returned in a clean and tidy condition: all rubbish must be removed from the vehicle before the end of the use. Failure to do so may result in a £20.00 surcharge.
3. Yew Tree Community School reserves the right to ban a driver from driving the minibus should that person allow another person who has not been through the relevant Yew Tree Community School vehicle familiarisation and driver registration process to drive the Yew Tree Community School Minibus. In such circumstances, the driver(s) may be liable to prosecution.
4. Yew Tree Community School reserves the right to ban a driver from driving the Minibus if there are reasonable grounds for believing that person knowingly failed to report any damage to, or accident involving, the Yew Tree Community School Minibus whilst it was in their care.
5. Should a group fail to turn up for a booked use, or give little or no notice of cancelling their use, Yew Tree Community School reserves the right to levy a charge of £20.00 per day for each day cancelled.
6. Should a group persistently cancel their bookings, Yew Tree Community School reserves the right to levy a charge of £20.00 per day for each day cancelled, regardless of the length of notice given for the cancellation.
7. Yew Tree Community School reserves the right to reject, cancel or vary any booking if the purpose for which the vehicle is to be used is inconsistent with the aims, objectives or rules of Yew Tree Community School.
8. In the event of cancellation or change to a booking by Yew Tree Community School, no liability can be accepted for any loss, financial or otherwise, arising from our failure to provide a vehicle, and Yew Tree Community School cannot be held responsible for breach of contract in such circumstances.
9. Drivers should ensure that ALL doors are unlocked before allowing passengers to board the minibus.
10. You MUST be able to provide a contact telephone number that will be manned during the time of the use. This is especially important for use outside normal office hours. If you do not provide such a telephone number, Yew Tree Community School cannot be held responsible for any failure to inform you about any emergency or other problem associated with the use.
11. Any fines during use resulting from illegal parking (including misuse of a Blue Badge), speeding etc will be passed onto, and are the responsibility of, the

driver. Yew Tree Community School reserves the right to make payment and then recover the amount from the user. The user is responsible for any charges (tolls etc) arising through the use of the vehicle.

12. Any prosecution of a driver arising from the use of Yew Tree Community School Minibus will be the responsibility of the user and/or driver. This includes any charges against a driver arising from vehicle defects.
13. Drivers must not drive whilst under the influence of drugs or alcohol.
14. Drivers must not indulge in dangerous driving, or abuse the vehicle.
15. Drivers must inspect the vehicle before and after each use, and notify the school of any damage or faults.
16. The user is responsible for maintaining correct oil and water levels, and correct tyre pressures, during the period of use although Yew Tree Community School will undertake weekly checks.
17. The user may be liable for the cost of replacing a tyre if it is damaged beyond repair due to kerbing, or being driven on whilst it is flat or punctured.
18. The minibus must be returned no later than the previously booked time. Should an unauthorised late return of a vehicle result in another group being unable to use the vehicle at the time they booked, any resultant financial liability may be passed on to the first group. Wilfully keeping a vehicle beyond the booked time can be construed as taking the vehicle without the owner's consent. In such cases, Yew Tree Community School reserves the right to take any appropriate action to recover the vehicle. Yew Tree Community School reserves the right to levy an additional surcharge of £10.00 per hour (or part thereof) in the event of an unauthorised late return of a vehicle. Yew Tree Community School reserves the right to refuse user requests from groups who are persistently late in returning vehicles.
19. Minor repairs incurred during the hire must be reported to the Yew Tree Community School Minibus coordinator, together with the vehicle keys.
20. Any accident or damage to the vehicle must be notified to Yew Tree Community School as soon as possible.
21. Engine damage resulting from the wrong type of fuel being used whilst being used will be the responsibility of the user, who will have to pay the full repair costs.
22. Drivers should remember that speed limits for minibuses are not the same as those for cars. The limits are as follows:

| | Speed Limit |
|------------------------------------------------------------------|--------------------|
| Built up areas* (where no lower limit applies) | 30 |
| Single carriage way roads (where no lower limit applies) | 50 |
| Dual carriageways (where no lower limit applies) | 60 |
| Motorways (where no lower limit applies) | 70 |
| Motorways (when towing a trailer) (where no lower limit applies) | 60 |

23. *The 30 mph limit usually applies to all traffic on all roads with street lighting unless signs show otherwise. For more details, refer to the Highway Code.

SMALL BUS PERMIT OPERATION

Technically, because all usage takes place under the auspices of our Small Bus Permits, every use is considered to be the supply of transport with a driver.

REGISTER OF DRIVERS

Anyone driving the Yew Tree Community School Minibus should be on the Yew Tree Community School Minibus *Register of Drivers*.

Entitlement to drive the Yew Tree Community School Minibus is partly determined by the date when a driver passed his/her UK manual car driving test. Drivers who passed the test before 1 January 1997 have an automatic entitlement (until the age of 70) to drive a minibus with 9-16 passenger seats. The old style of driving license will show a driving entitlement of category A (cars). The new style of driving license will show category B (cars) and D1 (9-16 passenger seat minibuses).

Drivers who passed the test after 31 December 1996 are required to pass a further driving test in order to gain entitlement to drive a minibus with 9-16 passenger seats (category D or D1 on the new style driving license). A driver who passed the manual car driving test after 31 December 1996, and who has subsequently passed a further driving test, which gives an entitlement to drive category D, or D1 vehicles, is required to have held his/her driving license for a minimum of 1 year.

However, under certain circumstances, a driver may drive such a vehicle without the need for such a test.

These circumstances are that:

- a. The driver has held a full driving license, with entitlement to drive a car (category B), for at least two years.
- b. The minibus is used for social purposes by a non-commercial body.
- c. The driver is providing his/her services on a voluntary basis (i.e. unpaid except for reimbursement of expenses).
- d. The gross (i.e. laden) weight of the minibus is not over 3.5 tonnes (or 4.25 tonnes if the vehicle has a passenger lift and is capable of carrying people with disabilities).
- e. No trailer is towed.

A driver who wishes to drive under the above exemptions will be required to sign a statement certifying that s/he meets the requirements set out above.

When a driver reaches the age of 70, entitlement to drive a minibus with 9-16 passengers is lost unless s/he passes a medical.

In addition, a driver must:

Be between the ages of 25 and 70.

Complete and sign the Yew Tree Community School Minibus driver's registration form: a photocopy of the driver's driving license will be attached to this form.

Be able to answer "NO" to the following questions:

- a. Has any period of a ban from driving been operative within the last 5 years?
- b. Has any company or underwriter ever declined, cancelled or refused to renew any motor insurance, or increased the premium or policy excess, or imposed special conditions?

Provide details about any medical condition, or medical history (whether physical or mental, including defective vision not corrected by glasses or hearing loss not corrected by a hearing aid) that may affect his/her ability to drive a minibus. In addition, details about any medication that is currently being taken, including dosage, should also be provided.

Yew Tree Community School reserves the right to refuse any driver that they believe may be unsuitable.

It is strongly recommended that drivers undertake MiDAS training.

MiDAS is the UK national standard for the assessment and training of minibus drivers. For more details, please see the Community Transport Association website.

VEHICLE FAMILIARISATION

A driver who has been accepted by Yew Tree Community School will (subject both to having D1 driving entitlement and to what follows) be eligible to drive the Yew Tree Community School Minibus. Because of the varying levels of equipment on different minibuses, and particularly because some minibuses are significantly longer and wider than others, the school recommends that the driver/user familiarizes themselves with the minibus and maybe even take a test run without passengers with a member of Yew Tree staff. This is a recommendation to all users.

INSURANCE

The Yew Tree Community School Minibus is driven under insurance arranged by Yew Tree Community School.

Insurance cover may be invalidated if any of the information contained on the Yew Tree Community School driver registration form is subsequently found to be false or inaccurate. Any material changes to the information on a driver's license must be notified to Yew Tree Community School before that person next drives the minibus.

Yew Tree Community School Minibus reserves the right to remove a person from the Register of Drivers if:

- That person is involved in a serious own-fault accident.
- That person has more than one minor accident in any 12 month period.

In all such cases, Yew Tree Community School shall be the sole arbiter when determining whether an accident is serious or of a minor nature.

Yew Tree Community School may, at their discretion, accept a driver who has current endorsements on his/her license. However any additional excess that may be charged by the insurers will be payable by the user, should a claim arise.

In the event of an accident, the user will be liable for any insurance excess payable.

The minibus must not be used for the carriage of goods.

Should a driver provide false or inaccurate information at the time of registering with Yew Tree Community School, and insurance cover is consequently invalidated, Yew Tree Community School reserves the right to take legal action against the relevant parties.

Drivers must notify Yew Tree Community School Minibus of any changes in the circumstances relating to their driving license (including changes in health) that occur after they have completed the insurance form.

PASSENGER SAFETY

We recommend that lifting & handling of passengers in our minibus should only be undertaken by individuals who have received training in the relevant techniques.

When a passenger requires to be lifted, a basic risk assessment should be undertaken. Some of the factors that should be considered include:

- Is a lift necessary and appropriate?
- The weight of the passenger and the nature of their disability.
- The training undertaken by the relevant individuals, and the information that is available to them.
- Are lifting aids available?
- What practical steps are in place to minimise the risks involved?

It is the user's responsibility to assess each passenger's ability to use the steps when boarding or alighting from the minibus. Similarly, it is the user's responsibility (where applicable) to assess each passenger's ability to transfer safely from a wheelchair to a seat in the minibus, and from such a seat to a wheelchair.

CHILDREN

It is a requirement that all children wear seatbelts.

Remember that young children are required to use appropriate seating. At present Yew Tree Community School does not provide baby carriers, child seats or booster cushions.

If your group is a voluntary child care organisation and your driver (either paid or unpaid) is likely to have substantial unsupervised access to children whilst driving the minibus (i.e. you will not be providing at least one other adult passenger), you are recommended in all cases requesting the Criminal Record Office to provide you with information about that person under the Criminal Conviction Information Scheme. We recommend that when groups of children are being transported, 1 adult must be sat in the back of the minibus supervising them.

With effect from 18th September 2006 the Department for Transport introduced new car seat regulations. The Community Transport Association advises us that these regulations do NOT currently apply to minibuses.

Remember that young children are required to use appropriate seating. At present Yew Tree Community School does not provide baby carriers, child seats or booster cushions.

MAKING A BOOKING

1. In general, and subject to availability, the minibus can be booked for any period up to seven days. Bookings for longer periods may be accepted at the discretion of the Yew Tree Community School Minibus co-ordinator.
2. Should you wish to renew a block of regular bookings, please do so in writing: we do not issue reminders when such bookings are about to expire. We try to maximise the opportunities for members to make their bookings: therefore, renewals of regular bookings cannot be guaranteed.
3. Regular bookings for a vehicle can be made in blocks of up to three months, and can be booked up to four weeks in advance.

USE OF TOWBAR

If you wish to drive a minibus with a trailer attached you should first seek training in how to drive safely when towing. Towing a trailer requires training - particularly in the art of reversing.

A trailer should not cause the vehicle's Gross Train Weight to be exceeded. This is the maximum weight allowed for the minibus and its load, together with the trailer and its load and it represents the effective limit of the minibus braking system.

Further restrictions exist depending on whether using a braked or unbraked trailer with one or more axles. In addition, the tow bar fixing point and the strength of the trailer coupling will have maximum capabilities. Your trailer supplier should be able to make this clear.

Luggage needs to be positioned around the centre of the trailer. On some trailers, there is a manual load-operating valve, which adjusts the brake setting.

With the trailer in position and loaded it must still be possible to open the rear doors and exit from the vehicle.

The tow bar should not be used without the prior consent of Yew Tree Community School.

VEHICLE BREAKDOWNS

A Breakdown Organisation covers the Yew Tree Community School Minibus. This includes "Home Start" and "Recovery". The MiDAS Minibus Driver's Handbook contains general details about what to do in the event of a breakdown or accident. More specific information is provided on the Yew Tree Community School Minibus Information Card.

OFF-ROAD

The Yew Tree Community School Minibus should not be driven "off-road". If a driver causes loss or damage to the Yew Tree Community School Minibus by going "off-road", the costs of any necessary repairs will become the hirer's responsibility.

FUEL

Each user is responsible for ensuring there is enough fuel for their journey. Yew Tree Community School will expect the minibuses to be returned with a similar amount of fuel as when it was taken. Users who regularly return the minibuses with no fuel or with much less than it was when taken may lose the opportunity to use the minibuses.

Mr R Bhatti – April 2018