



Transporting Students in Private Vehicles Policy

Paignton Academy

Waterleat Road

Paignton

Devon

TQ3 3WA

Paignton Academy

Borough Road

Paignton

Devon


TQ4 7DH

Policy Change Control

| | |
|--------------------------------|-----|
| Committee Responsible | RGB |
| Board Trustee | |
| Nominated lead member of staff | |
| Approved: | |
| Status & review cycle | |
| Next review date: | |

| Date | Version | Person | Change / Action |
|---------------|---------|--------------------|--|
| December 2016 | 1 | BET Board | Approved. |
| April 2018 | 2 | Acting Ops Officer | Reviewed by Acting Operations Officer – minor change of Headteacher to Head of School. |
| April 2021 | 3 | EVC | References made to Covid-19 Risk Assessments. |
| July 2023 | 4 | Gov Professional | BET Policy changed to PA Policy following approval by BET Board |

Approval:

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|---------------------------------------|--|---------------------------|
| VERSION | 4 | |
| APPROVED | December 2016 | |
| REVIEW DATE | July 2023 | |
| TO BE REVIEWED | July 2024 | |
| SIGNED CHAIR OF TRUST BOARD EXECUTIVE |  | PRINT Gavin Jones NAME |

1. Introduction

- 1.1 In certain situations, e.g. out of school activities, staff, volunteers or members of the local advisory group may agree to transport pupils. Whenever possible, transport arrangements should be made in advance by a designated member of staff. Whenever possible and practicable, transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort. The majority of academies will, from time to time, have the need to use some form of transport to enable pupils and staff to go on educational visits, to sports competitions, commuting between Paignton Academy sites and to other events not held on the academy premises. The “vehicle” may be owned by the academy, privately hired, on loan, free of charge, or public transport and be driven by a member of staff, a volunteer or come with a professional driver. It is anticipated that in most cases the range of vehicles used will be limited to coaches/buses, minibuses, taxis and private cars.
- 1.2 The Principal/Head of School for each school is responsible for ensuring that the choice of vehicle is suitable for the intended use and the needs of the passengers and that its design meets appropriate current standards.

2. Transporting children in private cars - using parents' and volunteers' cars

- 2.1 Adults should ensure that their behaviour is safe and that transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy, has a valid MOT certificate and is taxed. They must have appropriate business use insurance and ensure that the maximum capacity is not exceeded.
- 2.2 When parents and volunteers' cars are used on school activities, the Principal/Head of School should notify parents and volunteers of their responsibility for the safety of pupils, to maintain adequate insurance cover and to ensure their vehicle is roadworthy and has a current MOT certificate.
- 2.3 The Principal/Head of School or visit leader will need to consider the suitability of parents or volunteers to carry young people in their car and whether vetting is necessary. The current law requires that parents or volunteers who transport children on a regular basis, must have an enhanced DBS check. However, both Devon and Torbay Councils recommend that by subscribing to Evolve, **ALL** drivers and every adult engaged in providing transport on behalf of an academy have an enhanced DBS check. They also advise that parents or volunteers are not put in a position of being alone with a young person other than their own child.
- 2.4 Staff and volunteers should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in residential settings, or after-school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply.
- 2.5 In managing these arrangements an academy must put in place sensible measures to ensure the safety and welfare of children transported in volunteers' cars. This is based on guidance from the local authority and applies equally to parents/carers and school staff using their cars on academy business.
- 2.6 All volunteer drivers, whether staff or parents/carers, must read this policy and sign the Transport Policy Compliance Declaration annually. This is included as Appendix 1. Drivers must inform the academy if circumstances change and they can no longer comply with this policy.

- 2.7 The Principal/Head of School or member of staff responsible for the trip/event will ensure that travel arrangements are clear to all parents. For those children that may be transported in private cars, explicit parental consent will be sought.
- 2.8 The Principal/Head of School will ensure that parents/carers/staff volunteering to transport children other than their own are notified of their responsibilities:
- For the safety of children
 - To maintain suitable insurance cover
 - To ensure their vehicle is roadworthy.
- 2.9 Judgment is required about the likely behaviour and individual needs of the children being transported. If any of the children or young people require close supervision, another adult should travel in the vehicle so that the driver is not distracted.

3 Requirements for all drivers:

- 3.1 All drivers must
- Have a full and valid driving licence for the class of vehicle that will be used, and have held this for a minimum of two years.
 - Be fit to drive and have no medical condition that affects their ability to drive.
 - Be free of any convictions and/or endorsements/penalties other than fixed penalty speeding endorsements. If the volunteer driver has one or more fixed penalty speeding endorsements, it should be discussed with the Principal/Head of School before driving as a volunteer for the Academy
 - Be willing to present their driving licence for inspection if requested.
 - Drive safely, adhering to the Highway Code and speed limits.
 - Maintain appropriate insurance cover when carrying children, as a minimum for third party liability. It is advisable to inform insurance companies that the driver occasionally transports children in connection with school activities.
 - Have insurance cover that includes business class 1 use.
 - Ensure that all seat belts are working and worn by everybody in the vehicle.
 - Meet minimum eyesight standards for driving. If a driver needs to wear glasses or contact lenses to meet the minimum standards, these must be worn at all times and eyesight should be regularly tested to ensure the standard is maintained.
- 3.2 Staff and parents will be asked to present their driving licence and certification to be copied and kept on file.
- 3.3 All vehicles must:
- Have a valid MOT Test Certificate (if over three years old)
 - Have current road tax
 - Be roadworthy
 - Conform to all legal requirements.
 - Have valid insurance

4 Seat belts and child restraints - including booster seats and booster cushions

- 4.1 Children under the age of 12 and under 1.35m in height must use the correct child restraint when travelling in a car. Exceptions include the rear seats of a taxi and for unplanned and unforeseen journeys.

- 4.2 Every young person travelling in a car should wear a seat belt or appropriate child restraint. The correct child restraint should always be established by weight and should fit correctly. Vehicles without seat belts or appropriate restraints should not be used. The central lap belt in the back seat of a car should not be used to carry children who require a child restraint.
- 4.3 Side facing seats should not be used as they only have lap belts and injuries are more likely to occur in an accident.
- 4.4 Children who require a child restraint should not use the front seat of a car.

5 Managing groups when travelling

- 5.1 Initial planning, good discipline and appropriate supervision arrangements are essential. The level of supervision required in a vehicle should be considered as part of the overall risk assessment.
 - Ensure that each driver knows how to get to the destination and not drive in convoy.
 - Ensure that each driver is equipped with a mobile telephone for emergencies.
 - Ensure that drivers are given an emergency plan to follow in the event of breakdown or road traffic collision.
 - Ensure the driver understands their legal obligations when transporting pupils.
 - Ensure that the driver is not alone with any children. These are for safeguarding reasons but also because a driver cannot supervise children and drive.
- 5.2 To ensure adequate supervision a second adult may be needed, unless the journey is local, the group size is small or the young people are responsible.
- 5.3 The transport needs of young people with behavioural, special educational needs or a medical condition should be assessed. This will help determine what type of supervision, what equipment and what type of vehicle is needed to transport the young person.
- 5.4 If a vehicle needs to stop in an emergency, the occupants of the vehicle should remain together under the direct supervision of a responsible adult until assistance arrives. The group leader should normally evacuate the vehicle and move the group to a position behind the safety barrier on a motorway or well away from moving traffic.

6 Risk assessment when using a minibus or car

- 6.1 Visit leaders and heads should be aware of the high level of accidents related to using minibuses and cars, and the driver's liability to prosecution in the event of breaking the law. A major responsibility also lies with the organiser of the journey. When journeys are planned, Head of Schools and visit leaders must be satisfied that drivers are aware of the constraints which affect any journey by road.

Some of the major ones are:

- passenger safety
- whether the driver is competent and trained to drive the proposed vehicle and holds the appropriate valid licence
- the experience and capacity of the driver to maintain concentration
- the type of journey; long distance or local
- traffic conditions
- weather conditions
- the journey time and distance, including the length of the driver's day
- emergency arrangements
- insurance cover
- supervision

- stopping points on longer journeys for toilets and refreshments
 - suitability of the vehicle for the journey.
- 6.2 When young people are carried in teachers' or parents' cars, every effort should be made to ensure that precautions have been taken to minimise the risk of injury. This may need to include using child-proof locks on rear doors.
- 6.3 Before the journey basic safety items should be checked including tyres, lights, and windscreen wipers. Vehicle logbooks and the Transport Safety Guidance Note HS0056 contain the full list of items a driver is expected to check before starting a journey. A similar check should be carried out by volunteers or parents on any car they may provide.
- 6.4 These checks should complement regular school-based procedures and garage servicing. It is the driver who is responsible for a vehicle, its suitability and its condition during any off-site journey.
- 6.5 Staff and volunteers should not drive when taking medication, drugs or alcohol or undergoing treatment that might affect their ability or judgement.
- 6.6 On long journeys, the visit leader should, as a minimum, operate within the Passenger Carrying Vehicles drivers' hours regulations. The maximum period of continuous driving should be 4.5 hours, after which a break of 45 minutes should be taken, or up to three breaks totalling at least 45 minutes. On long journeys there should be more than one driver to avoid fatigue.
- 6.7 The volunteer driver must be contactable by mobile phone during the trip. If it is necessary to use a mobile phone to answer or make a call during the trip, this should only be done when not driving.
- 6.8 No child should be transported on their own with a volunteer adult that is not their parent/carer, unless the volunteer driver has completed a Disclosure and Barring Service check (DBS). The school may require parents or volunteers who have regular or unsupervised access to young people to complete a DBS check.
- 6.9 All staff attending courses or meetings or transporting pupils on behalf of the Paignton Academy, or as part of their professional development, must ensure that they have the correct business use insurance in place, their vehicle is roadworthy, is taxed and has a current MOT certificate, if applicable.

7 Other guidance and policies

- 7.1 This policy should be read in conjunction with the Trust and academy policies concerning:
- Code of Conduct
 - Educational Visits
 - Health and Safety
 - Safeguarding
 - Minibus
 - Covid RA
- 7.2 Devon and Torbay Evolve guidance should be adhered to

Appendix 1 Transport Policy Compliance Declaration

Transport Policy Compliance Declaration for Volunteer Drivers

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|---|--------------|
| Name of staff or volunteer Driver: | |
| Address: | |
| Home Telephone No: | |
| Mobile Contact No. (to be used if necessary to make contact when transporting children): | |
| Make, Model and Registration number of the vehicle(s) that will be used: | |
| Details of any endorsements or penalties: | |
| Declarations: | |
| <ol style="list-style-type: none"> 1. I confirm that the vehicle(s) that I will use to transport children conforms to legal requirements for road tax and roadworthiness. If older than three years, the car has a valid MOT Certificate. 2. The vehicle is well maintained and safe. 3. Either the vehicle, or driver, are covered by appropriate insurance, including third party liability as a minimum, for journeys undertaken for Paignton Academy. 4. I have a full and valid driving licence for the class of vehicle that I will use for purpose of transporting children. I have held this license for at least two years. 5. I am free of any convictions and/or endorsements/penalties. 6. I am not restricted in any way by the DVLA from driving due to medical conditions. 7. I have read and agree to abide by Paignton Academys Transporting students in private vehicles policy for Employees, Directors, Members of the Local Advisory Group and Volunteers | |
| Signed: | Date: |
| Reviewed by: | Date: |
| For school use: | |