

Spiral Sussex

**Minibus Transport
Policy**

January 2019

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This policy and procedure has been approved by the Executive Committee of Spiral Sussex which are responsible for its review.

The original signed copy of this policy and procedure is kept at Spiral Sussex's office.

Signed: Mark Shanahan Date: 8th January 2019

Name: Mr Mark Shanahan

Chair of Trustees

Signed Marc Blackwell Date: 8th January 2019

Name: Mr Marc Blackwell

Trustee

Record of adoption and review of this policy and procedure:-

- Adopted:
- To be reviewed: (+1 years from the adopted date)

Spiral Transport Policy & Procedure

Background

Spiral may offer transport as part of a service or activity. This document sets out Spiral's policy and procedure for managing the provision of transport.

In this policy and procedure, references to Spiral staff include employees, bank workers and volunteers.

Policy

The extent of Spiral's transport provision is limited to the following:-

- 3 Minibuses with modified side passenger entrances
- 1 Minibus with a Side door and a tail-lift.
- The use of hire vehicles
- A Spiral staff member using their own vehicle to carry out duties (not including travelling to and from their normal place of work)

Spiral staff will not, under any circumstances, drive any service user in their own vehicle, except under a pre-arrangement with the management or an emergency. In the case of an emergency, the Spiral staff member will contact a senior manager or Trustee to advise of the circumstances beforehand.

1. Driving licences

The following rules apply in the case of driving a Passenger Carrying Vehicle (PCV), such as a minibus with 9-16 seats (excluding the driver). The 'Category D1' permission on a UK driving licence is required by a person intending drive a PCV for 'hire or reward'. For the purposes of this policy, 'hire or reward' includes a Spiral service in which a service user contributes financially to the service they receive, for example, through service user contribution. The 'Category D1' permission can be obtained in the following ways:-

- If a person has passed their driving test before January 1997, a 'Category D1' permission is automatically acquired
- If a person has

passed their driving test after January 1997, their driving licence may not automatically show a 'Category D1' permission. In such cases, a further test is required before any person is permitted to drive a PCV.

2. Permits

In cases where Spiral borrows or hires a PCV which it intends a member of staff to drive, Spiral will obtain a Section 19 standard permit, which will be kept in the vehicle during its use.

3. Hiring/borrowing a vehicle

In cases where Spiral wishes to hire/borrow a vehicle for the purposes of transporting service users, Spiral will require the person or company responsible for that vehicle to complete the relevant sections of the Transport Provider Form (see appendix 1) to confirm they will adhere to the required provisions.

4. Spiral staff driving a hired/borrowed vehicle

In cases where Spiral wishes a member of staff to drive a hired/borrowed vehicle, Spiral will require the member of staff to adhere to the provisions within the Spiral Six-monthly driver check form (see appendix 3) in relation to their driving role, which will be updated every six months. The member of staff is required to complete the Spiral Vehicle Checklist (see appendix 4) prior to the use of the vehicle each day. No driver will be permitted to drive a vehicle for Spiral's activities if they accrue 6 penalty points or more on their driving licence.

5. Spiral staff member acting as escort on a vehicle to transport service users to and from home or during an activity, Spiral is responsible for the safety of the service users while boarding, travelling and disembarking.

To this end, Spiral will provide one or two staff members to act as escort(s), depending on its risk assessments. It may also be necessary to provide a qualified medical professional to act as escort(s), in line with risk assessments. Transport arrangements (and, in particular, pre-arranged pick up and drop off points) will be

agreed beforehand with the service user, if aged 18 or over and with capacity, or, in any other case, with the service user's parent or responsible carer.

Changes to agreed transport arrangements can only be made with the consent of the same person, or a relevant professional, such as a support worker.

Seat belts

Regulations in the Road Traffic Act 1998 oblige all drivers and passengers in motor vehicles to wear seat belts. Exemption from wearing a seat belt can only be granted by a medical professional. In such cases, Spiral must be provided with a 'Certificate of Exemption from Compulsory Seat Belt Wearing'. Escorts must oversee the following in the use of seat belts:-

- The seat belt should sit as close to the body as possible, without any slack or twisting in the straps
 - The shoulder belt should lie across the chest and over the shoulder, away from the neck
 - The lap belt should be as low as possible from hip bone to hip bone - not across the stomach
- Seat belts for people who are pregnant
- Seat belts must be worn by any person who is pregnant, unless a medical professional certifies that the person is exempt on medical grounds, which must be provided in writing to Spiral.

The recommendation for a person who is pregnant is as follows:-

- The diagonal strap should be positioned between the chest, moving it around the side of the bump
- The lap strap should be as low as possible across the hips and under the bump – if it goes over the naval, it is too high

Head rests

Escorts must ensure that head rests are adjusted to help prevent a whiplash injury in the event of an accident. The top of the head rest should be level with the top of the ears and as close as possible to the head.

Booster seats M

Spiral will ensure booster seats are provided for children who require them. Under the law, booster seats are required in the following circumstances:-

- For children who are aged 3-12 (their 12th birthday) OR under 135cm in height In cases where a vehicle is fitted with an 'all age' seat belt (a belt which is adjustable for children and shorter adults) Spiral recognises that this type of belt only alters the position of the shoulder belt and does not alter the position of the lap belt. As a result, there is still some danger of the child slipping underneath the lap belt (known as submarining). Therefore, Spiral will still provide booster seats to children who require them (see above), even where all 'age belts' are fitted to a vehicle which Spiral uses.

Picking up, escorting and dropping off from a pre-arranged location (e.g. home)

Spiral staff members working as escort are responsible for service users' safety between the pick up and drop off location(s) including when boarding, travelling and disembarking. Where possible, the escort should be the same person picking up and dropping off a service user, for continuity.

Escorts must notify the relevant Projects Manager as soon as possible if they are unable to carry out their escorting duties, as arranged. In such cases, Spiral will attempt to find a replacement escort or may cancel the transport or activity at short notice.

Picking up

When picking up, the escort(s) will:-

- say who they are to the service user, parent or responsible carer
- ensure any equipment or items are also collected, as previously agreed (e.g. wheelchair, packed lunch, medication), and any forms are signed (e.g. medication forms, consent forms)
- confirm the arrangements for drop off with the service user, parent or responsible carer The escort should contact the team leader or, in their absence, the Projects Manager or Chief Executive, for guidance in the following instances:-

- there is no answer from the pre-arranged pick up location
- the escort is directed to another pick up point by someone other than the service user or the service user's parent or responsible carer
- equipment or items are not available as agreed (e.g. wheelchair, packed lunch, medication)
- they have any safeguarding concerns

Setting off and during the journey

Before setting off, the escort(s) is/are responsible for:-

- ensuring all seat belts are in working order and ensuring booster seats are used where required, as previously instructed by the team leader or relevant Projects Manager
- securing any wheelchairs and harnesses
- ensuring all bags and other bulky items are safely stowed (e.g. placed under the seats)
- ensuring medication is kept safely and securely
- informing the driver when service users are safely and securely seated (with all relevant seat belts fastened) and all doors are closed
- sitting in the back of the vehicle with the service users and not in the front with the driver

- ensuring the service users do not eat or drink during the journey

During the journey, the escort(s) is/are responsible for:-

- ensuring service users do not distract the driver
 - ensuring seat belts remain fastened and wheelchairs and harnesses remain secure
 - ensuring bags and other bulky items remain safely stowed • ensuring service users are comfortable and well
 - alerting the driver to stop the vehicle in the event of an emergency
- Escorts must not leave service users unsupervised in the vehicle and

must remain alert at all times. While escorting, save for making essential calls, escorts must not use mobile phones for any purposes, must not use any MP3 or similar devices, and must not eat or sleep,

On arrival at the destination

On arrival, the escort(s) is/are responsible for:-

- ensuring the vehicle is parked safely to disembark (e.g. avoiding busy roads and uneven surfaces)
- ensuring service users are escorted and aided from the vehicle to a safe location
- ensuring any information or items (e.g. medication) is/are given/handed to the appropriate person, (e.g. the team leader, parent)
- reporting any incidents to the appropriate person which occurred during the journey (e.g. the team leader, parent or responsible carer)

Dropping off at home or other pre-agreed location (e.g. overnight respite home) When dropping off at home or other pre-agreed location, the escort(s) is/are responsible for:-

- ensuring the vehicle has arrived at the correct location and is parked safely to disembark (e.g. avoiding busy roads and uneven surfaces)
- walking with the service user to the front door or other entrance
- saying who they are
- ensuring the person receiving the service user is the person expected to do so
- relaying information about any incidents or accidents, as instructed by the team leader
- ensuring any equipment or items, including medication, are handed back and any forms are signed.

The escort should seek instruction from the team leader or, in their absence, the Projects Manager or Chief Executive, in the following instances:-

- there is no answer from the pre-arranged drop-off location
- the escort is asked to take the service user to another location
- the escort is asked to leave the service user with a minor (e.g. a sibling) or someone Spiral was not expecting
- the service user seems reluctant to want to be dropped off
- they have any safeguarding concerns On no account should escort(s) leave service users with a minor, a neighbour or any other person who has not been established, by agreement with the parent, responsible carer or other professional, such as a duty social worker, as the person to leave the service user with. In such cases, the service user should be escorted to the transport and further instruction sought from the team leader, relevant Projects Manager or Chief Executive.

6. A Spiral staff member using their own vehicle to carry out duties

In cases where Spiral staff member is required to use transport to carry out their duties (not including travelling to and from their normal place of work) that member of staff may choose to use their own vehicle. In such cases, Spiral will require staff to provide the following each year:-

- confirmation of their vehicle insurance, in writing, which includes a provision for them to use their vehicle for business use
- Spiral staff must not, under any circumstances, drive any service user in their own vehicle, except in an emergency. In such instances, the Spiral staff member must contact a senior manager or trustee to advise of the circumstances beforehand.

7. Service users travelling independently or being collected

In cases where a service user travels independently to Spiral's services or activities or is brought by a parent or responsible carer, Spiral will ensure such arrangements are established in writing.

Changes to these arrangements can only be made with the consent of the same person, or another professional, such as a duty social worker. Spiral will never leave a service user alone who has not been picked up as arranged.

8. Fines Apart from exceptional circumstances, all fines incurred by drivers will be paid by the driver. Where, in Spiral's view, the relevant fine could not reasonably be avoided, for example, in ensuring the safety of service users, Spiral may discharge the fine.

Transport Policy & Procedure Appendix 1 Transport Provider Form

Spiral requires all providers of transport (vehicles and/or drivers) to complete the relevant section(s) of this form.

Name of provider: _____

Date: _____

Name of person completing this form:

Section one:

Provider of vehicles

I confirm that the vehicle(s) provided to Spiral by me/company name* is covered by the appropriate insurance (of which I have provided written confirmation), has the appropriate vehicle tax, has a current MOT certificate (which will be renewed when required) and is regularly serviced and maintained.

Signed: _____

Position: _____

Date: _____

Appendix 2 Provider Declaration

Name of provider (or their relevant representative):

Name of Projects Manager:

Please sign this declaration to demonstrate that you are safe to work with children and vulnerable adults.

If there are any aspects of the declaration that you are not able to meet, you should disclose this immediately to the manager/senior/your point of contact at Spiral:-

I understand that Spiral is committed to ensuring that children, young people and adults are safeguarded at all times. I can confirm that:-

- I have shown photo ID to confirm who I am
- I am not 'disqualified for caring for children'
- I understand my responsibility to help safeguard children, young people and vulnerable adults who I come into contact with during my involvement with Spiral's activities
- I will ensure that I will not have unsupervised access to children, young people and adults during my visit to Spiral's activities
- I do not have any medical conditions which could affect my ability to help safeguard children, young people or vulnerable adults during my involvement in Spiral's activities

Signed by (provider or their relevant representative):

In the presence of (name of Spiral projects manager/team leader/other

authorised person:

Date:

Spiral Transport Policy & Procedure Appendix 3 Six-monthly driver check form

Name of staff member (driver):

1. Driving licence checked and copied to the file: Yes / No

2. Number of endorsements since driving licence last checked:

3. Is MIDAS training still in date (within 4 years)?: Yes / No

4. Is staff member aware of their responsibility to complete Vehicle Checklist Form each day?:

5. Other comments (e.g. training needs):

Signed by staff member (driver): _____

Signed by manager: _____

Date: _____