



Ensuring a Safe Journey on School Bus Trips

The Management of Health and Safety at Work Regulations 1999 requires employers to carry out a risk assessment of the activities undertaken by their staff with a view to preventing injury to them or anyone else who might be involved in these activities. They must then take steps to control these risks if they are unable to completely eliminate them. Such an assessment should always be carried out when planning an educational trip whether it is to a local museum or a trip abroad.

It is important to note that the following advice looks at some of the main factors to consider when planning a school trip or educational visit.

These should apply to most situations but the list is not exhaustive and the risks identified and safety steps taken will depend on the unique combination of circumstances in each case.

Risk assessment - the starting point

Most schools will have a pro-forma for the competent person (usually the teacher organising the trip) to complete and should consider the following:

- the type of activity
- destination of trip
- the number of students involved
- the age/competence/fitness/usual standard of behaviour of the students
- any special educational/medical needs of students
- adult/student ratios
- the competence/experience/qualifications of the accompanying adults
- emergency procedures in the event of an accident/unforeseen circumstance.

Transport arrangements – choosing a bus company

Once these factors have been considered, those planning the trip will have to decide how the group is going to reach its destination. The hiring of a bus or coach is commonly used for this purpose. This has the advantage that the company used will be legally responsible for ensuring the necessary maintenance of their vehicles, compliance with safety standards and the meeting of the licensing requirements needed to operate (this is different for minibuses owned by a school – see information on p2).

While many schools will have built up a relationship with a local bus company and feel confident of their service, it would be advisable to check the company's safety policy which should outline:

- drivers' training and competency
- inspection and maintenance of vehicles
- seatbelt requirements (see further information on p3)
- drivers' hours and breaks
- emergency procedures
- disabled access
- risk assessment procedures
- insurance cover.

Journey specifics

Once the information has been obtained, a judgement can then be made as to whether the company is suitable for safe use. If this is the case then there should be close communication and consultation between the trip organiser and the bus company about the following:

- Nature of the trip. Is it local, long distance or abroad? If abroad, the driver provided must be familiar with the foreign country's road safety regulations.
- Length of journey. Will more than one driver be required to avoid driver fatigue? ATL recommends that, apart from the shortest of journeys, there should always be a second trained driver.
- Passengers. What are their ages? Do they have any specific access or medical needs that require a particular type of coach or more regular journey breaks?
- Journey timetable. Is the trip linked to the timing of an event or the connection with another form of transport, eg a ferry? This may involve additional time having to be added to the journey to avoid any unforeseen circumstances on the day of the trip such as adverse weather conditions or traffic congestion.
- Destination. Are there any parking/access considerations the driver has to take into account?
- Contingency arrangements in case of a breakdown or an emergency. Does the driver have a mobile phone? Can an alternative vehicle be provided?

Using public transport

It may be, after conducting the initial risk assessment, that consideration is given to using the local bus services. Financial constraints may also mean that this is a more affordable option for some schools, although whether this can be done safely should always be the determining factor.

The following should be taken into account when considering the use of this type of public transport:

- Length of journey. Use of the local bus service should only be undertaken on short journeys.
- Number and age of children. A larger group of older students are more likely to be able to stand safely in passageways on a possibly crowded bus than a large number of younger children.
- Travel times. Peak travel periods should be avoided and the trip organiser should familiarise themselves with the relevant bus timetables and frequencies.
- Type of bus used on route. Double-decker buses are

commonly used as a form of public transport. If this is the case then consideration should be given to a higher adult/student ratio to ensure adequate supervision of the students on two levels of the bus. This should also be taken into account when hiring a double-decker bus for a trip.

- Contingency plans. If the group has to split to ensure a safer journey (eg to avoid an overcrowded bus) then the adult/student ratio should be higher and there should be a means of communication between the separate group leaders.

ATL would also advise that, prior to any journey using public transport, the trip organiser carries out a 'dummy run' of the journey with the aim of identifying any other factors that have to be considered to ensure the safest journey possible.

Driving the school minibus

Some schools have their own minibus. While the law covering minibuses is complex, there are several key issues that ATL members should be aware of if they are asked to undertake driving duties.

- The driving of a school minibus should be a voluntary activity. No teacher or member of staff should be required to do so unless it forms part of their contract of employment.
- If a teacher volunteers to drive a minibus then he or she must receive appropriate training. This should include familiarisation with the vehicle, use of seatbelts and harnesses, wheelchair access, basic safety checks and emergency procedures.
- The correct licence must be held by the driver. Additional theory tests and a medical examination are required for minibus drivers who passed their car driving test after 1 January 1997. Drivers should also be at least 21 years of age.
- The school must have the appropriate permits. A Minibus and Community Bus Permit (a 'section 19 permit') enables schools to make a charge for use of the minibus without having to comply with the full public service vehicle requirements or the need for the driver to have a more advanced standard of licence. If the school does not have this then the teacher may be held personally liable for any accidents which occur while they are driving the minibus. Further information on the type of permit required can be found on the Vehicle and Operator Services Agency website: www.vosa.gov.uk.
- Adequate insurance cover should be in place. The school minibus policy should cover all the people

allowed to drive the vehicle and should ensure that teachers are not liable for any damage which they may cause to the minibus as well as to other vehicles.

- Comprehensive breakdown cover, including a recovery service, should be in place. Drivers should also have ready access to information detailing the safest procedure to be followed in the event of a breakdown.

Members should note that the employer's duty to provide a safe place of work extends to ensuring that any minibus an employee drives is safe. This means that, in addition to the above, minibuses should:

- display a valid tax disc for the category of vehicle
- be well maintained
- have a valid MOT certificate if more than one year old.

Seatbelt requirements

Minibuses and coaches used to carry groups of children on organised trips must be fitted with seatbelts. This requirement does not apply to transport that is designated as a public transport service but does cover buses used to provide a school bus service.

Drivers must always wear a seatbelt. In addition they are personally responsible for ensuring that:

- children under three years of age use an appropriate child restraint
- children aged between three and 11 years, and under 1.35 metres tall, use an appropriate child restraint if available, or if not available, wear the seatbelt
- children aged 12 and 13 years (and younger children who are 1.35 metres or taller) use the seatbelt.

Seated passengers aged 14 years or more must use the seatbelts that are fitted and are personally liable for doing so. It should also be noted that where seatbelts are fitted only one passenger must use each seatbelt. The 'three for two' concession which allowed three children under the age of 14 to share a double seat in a coach or minibus, no longer applies.

Bus duty

It is common practice for some staff to remain on rostered duty so that they can see students onto and off site, often onto home-school buses, at the beginning or end of the working day. Members should note the following:

- ATL believes that this should only be required for a reasonable period of approximately 10 minutes before and after the school day.
- If buses are late then staff should not be expected to stay more than 15 minutes after the bus is due to arrive before reporting the matter and handing responsibility for the students left on site to a designated senior manager.
- Parents and staff should be told about the procedure to be used if buses arrive late.

Seeing students onto either hired transport or service buses outside the school grounds constitutes taking them off site. Special care needs to be taken in these situations, especially if this involves seeing students across the road. Only the police, traffic wardens and official school crossing patrols have the legal right to control traffic. Those who assume responsibility for seeing students across a road in the absence of a school crossing patrol must:

- discharge this activity reasonably and to the best of their ability
- carefully choose a safe crossing point
- work with another member of staff or responsible adult to supervise the road-crossing adequately.

Staff who perform these tasks should be treated as volunteers, unless their contracts/job descriptions oblige them to do so. It is essential that:

- they obtain written confirmation from their employer that, in the event of an accident befalling a student during this supervision, there is full insurance cover
- they write to their employer making it clear they will carry out this task in a voluntary capacity.

Once the students are on the bus and the bus has moved off then there is unlikely to be any further responsibility for the safety of the students. The bus service provider has the legal obligation to ensure that safe systems of work are in place and that the bus meets the requisite safety and maintenance standards.

Bullying on school journeys

It should be made clear to students that any incidences of bullying on a journey to and from school will be deemed unacceptable and will fall under the remit of the school's bullying prevention policy.

Students should be encouraged to report to the school any incident of bullying that takes place on their journey

to and from school. Schools may also wish to discuss what constitutes acceptable behaviour on journeys as part of their anti-bullying work and give advice to students on how to travel safely.

In addition, the local authority (LA) plays a key role in helping coordinate an anti-bullying approach on both the home-school bus and public transport. Section 10 of the Children Act 2004 established a legal duty for LAs in England and Wales to work in partnership with other public and private sector organisations, the voluntary sector, children and young people, parents, carers and the wider community to improve children's wellbeing and "to safeguard and promote the welfare" of children. (Similar duties apply in Scotland and Northern Ireland - see 'Further information').

In the context of school bus journeys the LA should have a safer travel policy drawn up in conjunction with, among others:

- transport providers
- the police
- community safety teams
- schools and colleges (including academies and independent schools)
- play and leisure providers.

One of the key aims of such a travel policy should be the creation of a system by which staff, such as bus drivers, can report incidents of bullying. Information gleaned from such reports may identify bullying 'hotspots' in terms of particular bus routes or pinpoint if bullying is a problem with certain schools (what uniforms are the children wearing?).

If a route is seen as being particularly problematic then the LA and police could use police community support officers, or street wardens, to provide a presence on these routes. Alternatively, if a school is identified as having a bullying problem, the LA could ask it to investigate and run anti-bullying interventions to address the issue.

While a school cannot take responsibility for every incident away from its premises, the Education and Inspections Act 2006 does give it the power to take measures to regulate the conduct of pupils off site. Such measures should be outlined in the school's behaviour management policy.

Further information

Scotland

Chapter 6 of the Scottish Executive's document *Health and Safety on Educational Excursions: A Good Practice Guide (2004)* focuses specifically on transport issues.

www.scotland.gov.uk/Resource/Doc/30859/0023651.pdf

The National Guidance for Child Protection in Scotland (2010) outlines requirements for inter-agency working.

www.scotland.gov.uk/Publications/2010/12/09134441/13

Northern Ireland

Educational Visits: Best Practice (2009). Section 16 of this guidance, which was drawn up by a working group comprising of representatives from key Northern Irish stakeholders such as the Education and Training Inspectorate, Governing Bodies Association and the NI Council for Integrated Education, looks at the issue of transport safety on school trips.

www.selb.org/publications/documents/EducationVisits2009.pdf

Co-operating to Safeguard Children (DHSSPS, 2003) outlines requirements for interagency working in Northern Ireland.

www.dhsspsni.gov.uk/safeguard_chpt3.pdf



Need advice?

Your first point of contact is the ATL rep in your school/college. Your local ATL branch is also available to help, or you can contact ATL's member advisors on 020 7930 6441, email info@atl.org.uk. Don't forget there's lots more advice on ATL's website at www.atl.org.uk.

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