

Transport Policy

Purpose

Policy Review

The responsibility of reviewing and maintaining this policy is Craig Dembicki (Managing Director). This policy will be reviewed annually.

Start date of policy: **3rd September 2015**

Last review date: **2nd August 2021**

Date of next review: **1st August 2022**

Signed

Date: 2nd August 2021



Craig Dembicki
Managing Director
Education 1st

Education 1st provides transport to and from designated and agreed destinations. This is a purposeful strategy and an important, inclusive part of our provision. This supports our students and parents/carers and gives the placement the best possible chance of success. It helps us emphasise the importance of “presence, participation and progress”. All students must travel safely at all times. In taking up a placement at Education 1st, students must adhere to the following rules. Failure to do so will result in appropriate sanctions and jeopardise the right to transport and the overall placement.

Related Policies:

Attitudes to Learning Policy

Capabilities Policy

Child Protection and Safeguarding Policy

Complaints Policy

Health and Safety Policy

Trips and Visits Policy

Absconding Policy

1.Student Responsibilities

- Be ready for collection.
- Wear a seat-belt
- Not touch any part of the vehicle operating mechanism
- Not damage anything in the vehicle
- Not open the window without permission
- Not do anything to show disrespect to members of the public or the environment
- Not do anything to put yourself or others at risk
- Not remove your seat belt until the vehicle has fully stopped
- Understand that safety at all times is the most important aspect of travel

In the event that your child does not adhere to the responsibilities listed above, Education 1st reserve the right to withdraw transport until such time that it is deemed that the risk identified has been managed effectively. Until such time, the responsibility will fall to the Parent / Carer to transport the child to the Education 1st Learning Centre. The Parent /Carer will be invited to a meeting with Education 1st to discuss the issues raised and find a solution.

2.Collection

Education 1st understands that situations may arise resulting in students not being ready on time for collection, however, Education 1st reserves the discretion to leave after 5 minutes of waiting. If a student is suspected of being under the influence of drugs or alcohol then we will not be able to offer provision for the student on that day. Collections will only be from addresses requested from the commissioning bodies. If parents/carers choose to change the collection address then they must inform the office staff at Education 1st in advance. If changes are likely to be a long term arrangement then the parent/carer must inform the commissioning body and Education 1st.

3.Drop offs

Parents/carers are expected to be at the drop off location at the correct times. If this is not possible for whatever reason then the parents/carers must ring the duty manager or office. Repeat failure to be at the drop off location may result in the placement being reviewed. Education 1st understands that changes to drop off locations can happen with little notice, however, Education 1st must get the parent/carer's permission, verbally or written, in order to drop a student off at a different location. Education 1st cannot accept a student's request to be dropped at a different location unless this agreement with the parent/carer has been made. If a student leaves the Education Key Worker's car at a location other than the drop off location then this will be treated under the Absconding Policy.

4.Transport by private vehicles

Safety of students and staff while being transported is paramount. Staff who compromise the safety of others will be fully investigated and could result in disciplinary action and be treated as gross misconduct (See Capabilities Policy). Staff who transport students as part of their role for Education 1st are responsible for ensuring the vehicle they use is fully roadworthy and has adequate insurance, servicing and annual MOT's. Education 1st will ask for evidence of such and a completed disclaimer.

5.Staff

The safety of students and staff while being transported is paramount. Failure to ensure safety by adults will be fully investigated and could result in disciplinary action or dismissal.

Staff must ensure:

- That they use child locks when available.
- That every journey undertaken during business hours is **safe**.
- That any substance or items that could cause harm to others must be removed prior to collecting students.
- That they do not eat or drink whilst driving.
- That they report any driving convictions whilst in employment with Education 1st.
- That if they have been driving for a considerable amount of time, driving breaks will be necessary under their own discretion.
- That they under no circumstances use their mobile phones whilst driving, this includes the use of handsfree/bluetooth, there is **zero tolerance** for this. If the phone rings repeatedly the driver must pull over when it is safe and legal to do so and return the call while the vehicle is stationary and the **engine is off**.
- That they follow the designated speed limits and any other traffic enforcements at all times.
- That they park in appropriate allocated spaces. Illegal or inappropriate parking may result in disciplinary action. All parking fines are the responsibility of the employee.
- That they transport students on a maximum ratio of 1:3 in their own cars and 2:7 in the designated school vehicle.
- That they pull over, stop the engine and contact their line manager if they experience difficulties with their vehicle whilst on work business.
- That they are not excessively tired, fatigued or under the influence of alcohol or drugs (this includes prescription drugs if they affect your ability to drive)
- That they meet minimum eyesight standards for driving. If they need to wear glasses or contact lenses to meet minimum standards, these must be worn at all times.
- That they have no medical condition including the taking of medication or infirmity that may affect their ability to drive safely.
- That when leaving the vehicle with students inside, the handbrake is applied, the gear stick is in neutral and the car lock is attached and fitted securely and the engine is switched off and the **keys are removed**.
- That whenever students are left in the car that they can see the car at all times and are only leaving the vehicle momentarily.

Additionally all drivers should ensure that they have regular eyesight tests to ensure that their eyesight remains within minimum standards for driving. Drivers should also ensure that if their health changes and this could affect their ability to drive then they inform their manager of this immediately. Drivers are also obliged to notify their manager of any driving convictions, endorsements or disqualifications immediately.

Staff must be aware that:

- A weekly log of vehicles must be maintained on the maintenance log.
- The management team will conduct random spot checks periodically as an added measure to ensure compliance.
- If any member of staff incurs a driving ban whilst employed at Education 1st, this will lead to a termination of employment as staff will be unable to fulfil their contract.
- If an employee is found to be under the influence of alcohol/drugs their contract will be terminated instantly.
- Any parking fines or speed enforcement will not be paid by Education 1st.

6.Managers

Managers of those who transport children/young people in their cars must ensure that the staff being asked to carry out this role have the necessary competence and experience. Whilst defining driver competence is always a subjective decision drivers will not normally be deemed competent unless they are between the ages of 21 and 70 and have at least 1 years' driving experience after passing their driving test. Managers deeming staff competent to drive outside these parameters will need to fully justify and record the reasons for this decision, equally where a member of staff meets the criteria but the manager has concerns regarding their competence to drive the reasons a member of staff is not deemed competent and therefore not allowed to transport children/young people, should be recorded. Valid reasons may be such things as a number of driving endorsements, driving convictions or a history of driving accidents as examples.

In making any such decision the needs of the service need to be balanced against the safety of the children/young people and members of staff, and there is any doubt the safety of the children/young people and staff should take priority.

Managers should check the documentation of their drivers and vehicles before they have staff driving for them in the first instance and then periodically at an interval relevant to the service after that, for staff who regularly transport children/young people as part of their role on annual check may well be appropriate, for staff who only carry this out very infrequently a check each time this happens may be more appropriate.

7. Children/Young People

Before children/young people are transported in staff cars the need and reasons for this method of transportation should be clearly established. Once this has been established a full picture of the needs of the child/young person (including physical, emotional, behavioural and medical) and the risks that this may present to them or the staff involved when transporting them needs to be established. This should involve gathering and sharing information with all agencies involved with supporting the child/young people. This information is required to inform specific risk assessment for transporting the child/young person. The information will need to be reviewed regularly to ensure it remains valid. It is imperative that all young people learn how to behave whilst being transported.

8. Responsibilities

Students should:

- Be ready for collection - the escort (accompanying member of staff, if there is one), will call ahead to give warning notice of the estimated arrival time.
- Be in the vehicle within 2-3 minutes of the escort arriving at their door.
- Not touch any part of the vehicle operating mechanism.
- Not damage anything in the vehicle.
- Not open the window without permission.
- Not do anything to show disrespect to members of the public or the environment.
- Not do anything to put themselves or others at risk
- Remain in their seats for the whole journey and wear a seatbelt at all times in the vehicle.
- Not remove the seat belt until the vehicle has fully stopped and understand that safety at all times is the most important aspect of travel.
- Walk to and from the vehicle safely.
- Listen to all adults and follow their instructions.
- Use kind words.

Students must not physically or verbally abuse other passengers, the driver or the escort. The escort or driver will be responsible for informing the Management Team of the students' behaviour when travelling to and from school:

5 - excellent

4/3 - acceptable/safe behaviour

2/1 - unacceptable behaviour

0 - unsafe behaviour

If a student is not ready for their pick up or refuses to get into the vehicle it will become the responsibility of the parent/carer to bring the student to the provision.

9. Risk Assessment

Each section/service area should produce a risk assessment for transporting children/young people based on their circumstances and way of working. The generic risk assessment for this activity can be adapted and used for this. Over and above this where information gathered on a child/young person indicates these may be significant risk to the child/young person or staff members safety during transportation, then a specific risk assessment relating to this activity must be carried out. It is not possible to give full detailed control measures for such risk assessments as they will relate to the particular needs of the individual and the specific circumstances involved.

However, when considering children/young people with medical conditions their transport and any control measures required during transport if this is to be a regular occurrence, should be included in their individual care/treatment plan. This should be used to inform any risk assessment. A second person, trained in administering medication or the relevant medical procedure should always be provided where the risk assessment indicates this is necessary.

For children/young people who present with behavioural issues a range of control measures could be considered; from not transporting the person if it is felt their behaviour is such that doing so is not safe, providing an escort to ensure the driver can concentrate safely on driving, placing the child/young person so they cannot easily distract the

driver (diagonally across from the driver in the back seat) amongst others.

Child locks should be used when transporting children/young people as a control measure.

10. Travelling

Only pre planned journeys should be undertaken and these should always be pre-approved by a manager. All journeys should have a fixed start and finish point and these should not be altered without authorisation. A system is in place for the details of all journeys to be recorded (where to and from, route details, time journey starts and ends, who is going to be transported, care details, etc). All staff are required to send their daily plans, incorporating arrival and departure times for each destination, to the What's App group identified for this purpose. Plans are then uploaded onto the rota for the day. All staff members are required to activate the tracker on their work phone before collecting their first student. Staff need to contact the office staff through the dedicated What's App Group after they have collected each student and again once each student has been returned to their home address or other approved address.

All staff are made aware of this and the details are monitored.

The law makes drivers responsible for ensuring those under 14 years of age wear an appropriate seat belt or child restraint. However, where staff are transporting children/young people as part of their job then they will at all times be responsible for ensuring the children/young people they are transporting are wearing a suitable restraint irrespective of their age. As there are very clear dangers **to passengers and** drivers if restraints are not worn then if a driver becomes aware of this they should stop the journey as soon as it is safe to do so. If the passenger continues to refuse to wear a seat belt/restraint then the contact system should be implemented and the journey ceased until a solution is found. For further information on child restraints see section (11).

Drivers must not use mobile phones etc, drink, or smoke while driving on Education 1st's business and should be aware of the highway code and drive appropriately and within speed limits. In order to facilitate this when planning journeys, adequate time for the journey must be allowed.

Staff will not be expected to drive an excessive number of hours in a day, especially if they are undertaking other work.

All loads should be carried in the boot where possible or should be suitably secured.

11. Child Restraints

When staff are transporting children/young people they should ensure that the correct type of restraint 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 is the collective term used 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 Regulations 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.

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.

Three exceptions allow children 3 years to 135 cm in height to travel in the rear and use an adult belt:

- In a licenced taxi/private hire vehicle, if the right child restraint is not available
- For unexpected necessity over a short distance, if the right child restraint is not available
- Where two occupied child seats in the rear prevent the fitment of a third child seat.

Children under 3 years may travel in the rear of a taxi unrestrained if no child restraint is available.

If using other people's child restraints, they must be fitted in accordance with the manufacturer's instructions or demonstrated by the person loaning the restraint. The child restraint loaned or hired must be in good condition.

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

*Children under 3 must use the child restraint appropriate for their weight in all cars and vans with single exception for the rear of taxis. This means for example that they may not travel in cars, vans which do not have seat belts.

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

If not seat belts are fitted in the front, then passengers including children and young people cannot travel in the front.

NB: CARS, VANS, GOODS VEHICLES WHICH DO NOT HAVE THE SEAT BELTS FITTED MUST NOT BE USED TO TRANSPORT YOUNG PEOPLE

For more detailed information on child restraint visit <https://www.gov.uk/child-car-seats-the-rules>

Child Restraint Requirements as from 18th September 2006, for Cars, Vans and Good Vehicles

	Front Seat	Rear Seat	Responsibility
Driver	Seat belt must be worn if available		Driver
Child up to 3 years*	Correct child restraint must be used*	Correct child restraint must be used. *If not available in a taxi then they may travel unrestrained.	Driver
Child from 3rd birthday up to 135cm in height (approx 4' 5" or 12th birthday - whichever is reached first)**	Correct child restraint must be used	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 licenced taxi.private hire vehicle ● For a short distance of unexpected need ● Two occupied 	Driver

		<p>child restraints prevent fitment of a third</p> <p>A child 3 years and over may travel unrestrained in the rear seat of an older vehicle where seat belts are not available.</p>	
Child over 135cm (approx 4'5") or 12 or 13 years	Seat belt must be worn	Seat belt must be worn	Driver
Adult passengers (14 years or over)	Seat belt must be worn	Seat belt must be worn	Passenger Driver

12. Accidents/Incidents

In the case of a road traffic accident, these must be reported by the driver, to their own insurance company and the 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 on the Accident Reporting System, following our school accident/incident procedure.

13. Review

This policy will be reviewed as part of the school's cycle of policy review unless superseded when it will be reviewed at an earlier date.

The headteacher is responsible for the review and evaluation of the policy contents and its impact on staff, volunteers and children.