

Children, Young People, Education and Skills (CYPES) Policy

Title	Minibus Policy: CYPES Sites and Third Parties
Issued	March 2009
Last Updated	December 2019
Author	Head of Facilities Management

1. Introduction

This policy outlines the:

- requirements for individuals driving minibuses on behalf of CYPES
- conditions for lending minibuses to third parties

2. Scope

This policy applies to:

- All minibuses with up to sixteen passenger seats used by CYPES. A minibus is a motor vehicle with between 9 and 16 passenger seats. It is described as a Category D1 vehicle by the Driving Vehicle Licencing Authority (the driver's seat does not count for these purposes).
- All persons who will drive such a minibus e.g. employee, parent or voluntary worker.

3. Conditions to meet before driving a minibus

All CYPES establishments (Schools, Colleges, Education, Skills, Youth Service and Children's Services) are responsible for ensuring that all persons using a minibus are licenced and trained to the minimum requirement, and are aware of this policy.

In order to drive a minibus in Jersey, the following legal requirements must be met:

- You must be 25 years of age or older
- You hold a current **JERSEY** driving licence, which shows a **D1** qualification

In addition, CYPES has a duty of care to all children and to ensure that staff are competent to use a minibus. For this purpose, prior to driving a minibus the individual must:

- Satisfy a BEST Providers Assessor of their competence, including the use of any additional safety equipment. Any establishment using its own minibus with tail-lift equipment must ensure that drivers are trained in its use.

The training must be arranged directly with the BEST Providers and the cost of the training must be met individually by each budget holder.

4. Responsibilities

The relevant establishment must determine that the individual is competent and fit to drive prior to the training, and that they have the required licence (D1). They must also ensure that they have sufficient number of trained drivers to meet the requirements of their service.

5. Medical clearance

Drivers over 65 years of age are required to have an annual medical check with the Government of Jersey Occupational Health provider.

If a driver has an absence from work which may affect their ability to drive e.g. cataracts or high blood pressure, then they should be referred to the Occupational Health provider before recommencing driving.

Prior to the assessment and annually thereafter the nominated person must be satisfied as to the medical fitness of the driver.

6. Assessment and certification

Following successful completion of the driver assessment, the assessor will issue the driver with an 'approved minibus driver licence' for Jersey accredited by the Royal Society for the Prevention of Accidents which is valid for a period of three years.

All drivers need to be re-assessed once every three years with a refresher training session. The individual is expected to be aware of when they are required to be re-assessed. The training provider will also maintain a record of trained individuals.

7. Management of minibuses

A nominated individual must be responsible for the arrangements relating to their use, including maintenance and the proper upkeep of the vehicles, the maintenance of driver records, the vehicle checks required and ensuring drivers' undertake assessment and re-assessment in accordance with this policy.

8. Driving in other countries

If driving in other countries, additional 'overseas driving' training is required which can be arranged directly with the training provider. It is the responsibility of the driver to ensure that they meet the licensing requirements of the relevant local authority. The insurance policy should be valid for the country within which the vehicle is to be used and the vehicle is technically compliant with the local law.

9. Vehicle familiarisation

Upon introduction of a new vehicle to an existing fleet the purchaser of the vehicle must ensure that the supplier provides all users with a 'familiarisation' of the vehicle. All new minibus drivers must be provided with relevant vehicle familiarisation by a staff member confident in the use of the vehicle.

10. Flow chart for CYPES establishments when assigning minibus driver

Allocate a minibus driver and confirm they are competent and fit to drive

Contact provider to arrange training and create purchase order in Supply Jersey

Check 'approved minibus driver' licence before individual drives

Update Virtual College with licence details

Training refreshed every 3 years

11. Third party use of a CYPES minibus

CYPES has an additional insurance policy which covers the loaning of Government of Jersey vehicles to non-Government of Jersey drivers for external business. It should be carefully considered and not thought of as a 'catch all' for all users. If you are allowing a non-employee to use the minibus, you must ensure that you have considered all the points below:

- Steps should be taken to ensure that the group borrowing the vehicle are responsible users who are borrowing it for community use.
- Minibuses should not be lent to commercial profit making enterprises (unless they are prepared to provide their own insurance for this.)
- Some groups e.g. Youth Clubs may own their own minibuses. They are responsible for arranging their own insurance (either for their own vehicle or for ours).
- You must be satisfied that the driver of the minibus is a responsible driver who has the D1 category on their licence. **Without this D1 category they will not be insured.**
- All third party drivers need to present their driving licence and a copy needs to be taken and filed, along with a signed copy of the terms of agreement (attached). This needs only to be done once for each person/organisation.
- **You must not re-charge the user of the minibus.** You can ask that they cover the costs incurred (e.g. petrol) but you should not levy an extra charge. If you are not prepared to lend the minibus without charge then you should decline to lend out the vehicle.
- If the vehicle is a leased vehicle from Jersey Fleet Management (Growth Housing Environment) – permissions must be sought before the vehicle is loaned to any organisation
- At the year-end a return needs to be completed and sent to the Department for CYPES notifying of the details of any times the vehicle has been loaned out. CYPES requires a record of who has used the vehicle for insurance purposes.

TERMS OF AGREEMENT FOR SHORT TERM LOAN OF A GOVERNMENT OF JERSEY VEHICLE

Government of Jersey vehicles are serviced annually and meet all current safety standards. In the event of an accident, you must complete an accident form in case an insurance claim needs to be completed.

Name of organisation loaning the vehicle	
Name of Representative	
Contact Telephone Number	
Purpose of Loan	
Start and End Date of Loan	___/___/_____ to ___/___/_____
Agree to pay the insurance excess (£500) or for repairs, whichever is the lower	<input type="checkbox"/> (please tick)
Vehicle should be checked prior to and after loan by both parties	<input type="checkbox"/> (please tick)
Driver has Category D1 on their licence	<input type="checkbox"/> (please tick)
Copy of driving licence taken and filed	<input type="checkbox"/> (please tick)
Signature	
Date	

CHANGE HISTORY

Version	Date Issued	Issued by	Reason for Change
0.1	9 March 2009	Project Manager	First Draft for review
0.2	10 March 2009	Project Manager	Revised for SMT approval
0.3	24 March 2009	Project Manager	SMT and Minibus Driver Instructor comments
1.0	24 March 2009	Project Manager	SMT Approved
1.1	26 June 2009	Project Manager	Note about tachographs
1.2	24 November 2010	Project Manager	Note about taking Minibuses to France
1.3	8 February 2011	Project Manager	Deleted note about Minibus Driver Instructor's test being a requirement of the Fleet Insurance Policy
1.4	September 2014	Head of Governance	Combine policy with policy about extra insurance charge for third parties. Remove requirement for charge. Add requirement to check and take copy of driving licence. Emphasis on not loaning vehicle to commercial enterprises. Remove prohibition on taking vehicles to France
1.5	September 2015	Head of Governance	Update policy to clarify requirements and also incorporate mandatory requirement for MiDAS training.
1.6	January 2016	Head of Governance	Updated to reflect new Department name and job titles/contacts.
1.7	December 2019	Head of Facilities Management	SLT Approved

APPROVAL

Presented to	Approved by	Date
Assistant Director of Policy and Strategy	Assistant Director of Policy and Strategy	9 March 2009
Senior Management Team	Senior Management Team	24 March 2009
Policy Group	Policy Group	30 September 2014
SMT	SMT	8 September 2015
SLT	SLT	20 September 2019