



Benchmark

Minibus

This report consists of two parts. In the first part we look at the information provided by schools throughout the UK in response to our survey conducted in the summer of 2015 in relation to the ways in which schools finance and use minibuses.

In the second part we review the legal dimensions of operating a school minibus.

Part One:

The 2015 survey of the financing and use of minibuses by schools.

The survey was conducted in the summer of 2015 and involved school site managers, school business managers, and selected heads of teaching departments in secondary schools. This was the second School Minibus Survey conducted – the first being undertaken in 2012.

As might be expected the results show a growth in the number of minibuses being operated by schools and a significant rise in the number of schools that are leasing rather than buying their minibuses, although there is still a sizeable minority (around one third of respondents) who say that they have looked at leasing but decided against it. This is perhaps not too surprising as not every leasing contract on offer is specifically related to the needs of schools.

Among secondary schools it is most common for the school to operate two or three minibuses – around half of the schools completing the questionnaire having this number. In round figures a quarter of schools had more than three minibuses and a quarter had just one minibus.

But as we anticipated, the most dramatic change we have found is in the growth of leased minibuses. Just under a quarter of schools now have both a leased and a purchased minibus, and around one in five schools only has leased minibuses – a significant growth in leasing from three years ago.

These figures firmly suggest that as minibuses reach the end of their lifespan, so schools are turning away from the notion of raising funds through the PTA or through a loan, and are instead obtaining a new bus through leasing.

This is indeed an interesting and many would say welcome trend, for this survey, as with its predecessor, showed that three out of four school minibuses on the road are over five years old.

The logo features three overlapping squares: a dark grey one at the back, a teal one in the middle, and an orange one in front. The orange square contains a white upward-pointing arrow.

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While driving a car that is over five years old is, of course, not a problem, with a minibus this is a more significant issue. Minibuses can be driven by a variety of people, and the reporting of a minor issue (which can later turn into a major issue) tends to be far less common when a vehicle is used by several drivers as opposed to when one is responsible for one's own vehicle.

Thus the chances of a breakdown or a failure to pass an MOT test are enhanced in older minibuses, leading to far greater consequences than would occur if it were a car that broke down or failed its test.

Perhaps the most worrying feature of the survey comes from the fact that, although so many minibuses are reaching the latter part of their reliable lifespan, getting on for half the schools that replied had no plans for replacing their minibus.

However, where there were plans for replacing a minibus, by far the most common route is now leasing. Indeed three times as many schools are now planning to lease their next minibus as opposed to buying it. Buying a second hand minibus is an option being considered only by a tiny minority of schools.

When asked what the school minibus was used for, four separate reasons dominated the replies, each with similar levels of response: taking students to other educational sites, taking students to sporting activities, departmental visits to places of interest, taking students to events related to music and other arts.

While the government in England fully supports the notion of Learning Outside the Classroom, and while it is a compulsory part of the curriculum in Scotland, the use of minibuses within such a programme within schools was perceived to be low.

However, over three quarters of respondents said that the school would benefit from having at least one more minibus – which suggests that it may well be the lack of ready-to-use transport that is holding back the widespread adoption of Learning Outside the Classroom programmes which enhance exam results, confidence and social skills among students, as research regularly shows.

Clearly leasing is helping schools to expand their minibus fleet and to a certain extent to remove their reliance on older vehicles. However, we can also see that some leasing packages on offer are clearly perceived within a minority of schools as not meeting the needs of the school as it seeks to extend or replace part of their fleet of minibuses.



Part Two:

Operating a minibus – your responsibilities

Part two of the report considers the ten issues that schools most often request information upon, in relation to minibus regulations.

- 1) Who can drive?
- 2) Operator's licence – and do you need one?
- 3) Seatbelts – the rules
- 4) Taking a minibus abroad
- 5) Towing with a minibus
- 6) Tachographs – what are they and do you need one?
- 7) Signage for school minibuses
- 8) Safety inspections and MOTs – what are the rules and recommendations?
- 9) Driver training
- 10) Additional information and reading

Disclaimer – this document is intended to be a discussion document and to highlight areas that you may wish to give thought to. It is not a document giving specific advice. You may wish to take that advice from your Local Authority, DVLA, Community Transport Association, your local Traffic Commissioner or from your Solicitor. Errors and omissions excepted.



1) Who can drive?

The rules regarding who can drive a minibus in the UK are determined mainly by the date on which the intended driver first passed their car driving test and also by whether the driver is being paid to drive the minibus.

If the car driving licence was first issued after 01/01/97 then the driver will need to apply for a minibus licence (category D1). There are various exceptions to this pertaining to Minibus and Community Bus Permits and also the issue of hire and reward and whether the driver is being financially rewarded (paid) for the driving of the minibus.

If the car driving licence was issued before 01/01/97 then it will show either category A (manual cars) or B (automatic cars) and D1 which allows for the driving of a minibus (with minimum of 9 and a maximum of 16 passenger seats) not for hire and reward.

You may want to consider seeking specific advice from a Solicitor to ensure you and your drivers are complying.

It is recommended that driving licences are checked at least every 6 months to ensure that they are still valid as categories can be removed by the licensing authority.

2) Operator's Licence – what types are there and do you need one?

If your school operates a passenger carrying vehicle for reward then you will need an Operating Licence. The term "reward" is quite loose but can include payment of school fees or even payments made by parents/guardians towards the cost of a school trip.

Given this, it is likely that most schools, colleges and universities will need an Operating Licence. If the organisation is non-profit making then consider a Section 19 Standard Permit (issued by Local Authorities, VOSA and Community Transport Association CTA to their members). If the organisation is a profit making entity you may need a PSV Operator's Licence and should contact your local Traffic Commissioner.

You may want to consider seeking specific advice from a Solicitor to ensure you and your drivers are complying.

3) Seatbelts – the rules

All new UK supplied minibuses are supplied and fitted with 3 point seatbelts (rather than the 'lap belt' of older vehicles). Therefore the driver and all passengers must have a seatbelt safely secured during all journeys. It is also essential that child and booster seats are correctly used and maintained where required.

4) Taking a minibus abroad

To take your minibus abroad you will need to ensure that all drivers have a full and unrestricted D1 category driving licence (regardless of what Operator's Licence the vehicle is usually operated under in the UK).

In addition the vehicle will need to be fitted with a correctly calibrated tachograph (see section 6) and operated within the limits determined by such tachograph.

You will also need to carry foreign travel authority from the owner of the minibus as well as a Waybill or Own Account Certificate. In addition it is recommended that the driver be "current" and practised at driving on foreign roads.

5) Towing with a minibus

As well as ensuring that the total combined gross weight of the laden minibus and trailer do not exceed the manufacturer's limit, if driven on a D1 category licence you are limited to a 750 kg Maximum Authorised Mass (MAM) of the trailer.

If the driver holds a D1+E category licence then the limits are higher.

Thought needs to be given to the training of drivers in this area, see section 9.

6) Tachographs – what are they and do you need one?

A tachograph is a device (previously mechanical but nowadays electronic) that records and stores the times, speed and length of journey and the timing of driving breaks. As well as being a legal requirement when driving a minibus abroad and when using paid drivers, they also serve as a good reminder of the actual time spent driving versus resting.

7) Signage for School minibuses

A particular requirement exists for school minibuses (that transport children to and from their school at the beginning and end of each day) to display a school bus sign at both the front and rear of the vehicle. In addition, minibuses need clear EXIT signage for emergency situations.

8) Safety inspections and MOT's – what are the rules and recommendations?

Minibuses require MOT testing each year (on the anniversary of the first registration date). This should be considered a 'snap-shot' of the condition of each vehicle on the day of the MOT test. It is essential that each vehicle is maintained in accordance with the manufacturer's recommendations, that regular (at least every 13 weeks) safety inspections are performed by a competent person, and that any faults are rectified immediately. In addition daily checks should be performed on tyres (tread and pressures), oil level, coolant level, and fuel level.

9) Driver training

You should consider driver training to be an essential part of operating a minibus. Given the size, weight and most importantly 'cargo', it is essential that drivers are well trained for the equipment that they are using (including trailers, use of tachographs and any supplied first aid supplies). Training should be considered and evaluated regularly rather than seen as a 'single event'.



10) Additional reading and information sources

Many excellent and informative guides exist to add further to the scope and detail of this brief discussion document, including (but not limited to):

- a) www.rospa.com – Minibus Safety, a Code of Practice
- b) www.ctauk.org – Community Transport Association – FAQ's for Schools, Colleges and Universities Operating Minibuses
- c) www.direct.gov.uk/driving - Driving a Minibus - INF28

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