



# **DERBYSHIRE COUNTY COUNCIL Place, Passenger Transport DPS**

## **SCHEDULE G**

**Derbyshire County Councils Best Practice Guide for  
Passenger Transport**

**ALL CONTRACTS**

**Schedule G Derbyshire County Councils Best Practice Guide for  
Passenger Transport - Version Control**

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This guide provides information which should be read carefully, understood, followed and considered in conjunction with the Call of Contract. Any failure to follow this guide could result in the Contract (as defined in the Terms and Conditions) being terminated.

Topics included in this guide are, Provision of Transport Services During Severe Weather, Seat Belt/Child restraints, Driving and Route Risk Assessments, Incidents and Accidents, Risk Assessments, Daily Defect Checks and Vehicle Maintenance, Role of the Contract Manager and Role of the Designated Person.

This guide should be applied alongside the requirements of contract Terms and Conditions and all relevant schedules, your responsibilities as an employer, your responsibilities as a transport Operator and your responsibilities as an employee.

### **Provision of Transport Services During Severe Weather**

In periods of bad weather, it is necessary to take extra precautions to ensure the safety of our passengers. It is not possible to provide definitive instructions to cover every eventuality: the following notes reflect “good practice” which should, if followed, assist in ensuring passengers’ and employee safety.

Passenger safety is of paramount importance. Before starting a morning journey, check the prevailing weather conditions for the day in the area in which you operate allowing extra time if needed to arrive at your first passenger collection point. Operators must satisfy themselves that it is safe to operate the journey both outbound and inbound.

- Drivers shall have a mobile phone or two-way radio available. Operators should be aware of areas where there is difficulty with, or lack of, phone coverage or radio transmission and the details should be included in the Route Risk Assessment.
- Drivers should be aware of emergency contact numbers for the Operators base, school/establishment, and the Councils Passenger Transport Unit (PTU). This information should be included in the Route Risk Assessment. Should a problem occur, the Driver should notify, when it is safe to do so, the school/establishment (where applicable) and the Operator immediately. The Operator must notify PTU as soon as they become aware of the problem.
- Where it has been deemed not possible to complete the morning route it is sensible to take passengers home or their pickup point. The Operator must ensure that the passengers are properly supervised or cared for before the driver leaves them. If the driver has any doubts,

then the passengers should stay on the vehicle with the driver who should then contact either the school/establishment, the Operator or PTU immediately. The school/establishment (where applicable) must be notified as soon as possible that the passenger(s) will not be attending.

- The Operator should continue to monitor the weather throughout the day. If the weather deteriorates the Operator may decide it necessary, for safety reasons, for the transport to operate before its normal time. The Operator must liaise with the school/establishment and agree an appropriate course of action with them. Please remember that the final decision rests with the school/establishment. Where a contract carries passengers from more than one school/establishment it is the Operators responsibility to ensure that each school/establishment is aware of the action being taken.

### **Seat Belt & Child Restraints**

Drivers of all vehicles on Council transport contracts must wear a seatbelt where one is fitted.

Legislation requires that passengers of a certain age and over are legally responsible for the wearing of a seatbelt where one is provided. It is the driver's responsibility to ensure that passengers aged under the legal requirement are correctly restrained.

Operators must comply with current legislation regarding seatbelts, child restraints and car seats and with the Council's contractual requirements where these surpass legislative requirements.

- **Taxis**

The Council requires that all seats used have a 3-point seat belt. An appropriate child seat/restraint must be provided for each child transported where the child is under the legal requirement in height, or the passenger has special transport needs. Passengers over the legislated years of age and above, as well as those over the legal prescribed height, must wear a 3-point seatbelt, unless otherwise specified by the Council. Rear-facing child seats must not be used in the front of the vehicle if the front passenger airbag is active.

Only EU-approved child car seats shall be used in the UK. These have a label showing a capital 'E' in a circle. It is the Operators responsibility to provide, inspect and maintain suitable child seats/restraints where specified by the Council.

It is the Operators responsibility to ensure that child seats/restraints provided by the Council are checked and maintained, and to notify the Council immediately when a problem is identified.

#### □ Minibuses

Child seats are not recommended for use on a minibus unless the passenger has specific needs, or the seatbelt cannot be suitably adjusted.

Passengers under 3 years of age must use an appropriate restraint, or child seat where one is required in the Schedule B and which the Council has assessed as suitable for the vehicle.

Passengers aged from 3 years up to their 12th birthday, and under the legislative height, must use an appropriate restraint or a 3-point seatbelt. Child seats should only be used where a specific requirement has been identified and the Council has assessed the seat as suitable for the minibus.

Passengers aged 12 and 13 years old (and younger children who are the legislative height or taller) must wear the seatbelt.

Passengers over the legal age for a child seat must wear the seatbelt, where one is provided, and are personally responsible for doing so.

#### □ Buses and Coaches

Operators shall ensure that all passengers over the age of 14 wear a seatbelt where fitted.

Younger passengers that are travelling, Operators are required to take all reasonable steps to ensure that every passenger is notified that he/she is required to wear a seatbelt, where fitted, at all times. This shall be done by means of an announcement or audio-visual presentation as passengers join the bus and/or a designated sign, approved by the Department for Transport (DfT).

#### □ General Good Practice

Seatbelt adjusters can be used in minibuses, buses and coaches which operate contracted transport services. These enable adult 3-point seatbelts to be adjusted to fit the passengers more comfortably.

The front seat of a taxi or minibus should only be used when all the rear seats are occupied, and only if the seat has a 3-point seatbelt fitted. Where front seats need to be used, it is more appropriate for children over the legal height to use a three point belt to sit in the front of a vehicle. The Crew/Courier seat on coaches cannot be used on any Council contract.

Operators shall ensure that all children board and alight on the kerb side of the vehicle.

### **Driving & Route Risk Assessments**

In relation to Route Risk Assessments the following are examples of the type of things you the Operator should consider prior to carrying out your transport service and daily thereafter:

If you are a Taxi Service:

- Does the driver or passenger assistant get in and out of the car to assist passengers?
- Can all passengers board and alight from the near side of the vehicle?
- Do you have the correct equipment for each individual passenger's needs?
- Have you assessed the route and all pick-up and drop-off points?

If you are providing a Bus Service:

- Make sure your route (or service) number and destination are clearly displayed.
- Are all of the stopping points safe for the vehicle to stop and passengers to wait? If you are concerned about a particular stopping point please contact PTU immediately.
- Does the driver have access to the timetable and been route trained for the service?
- Are passengers sat down before setting off? If seats are not available, standees must not be on the front platform
- If the vehicle has seatbelts fitted, has your driver clear instructions to make an announcement requesting pupils to fasten the seatbelts or, alternatively, is there appropriate signage?
- Have you assessed the route and its suitability for the size and type of vehicle to be used? This shall include things such as low bridges and over hanging trees

General

- Do you have clear procedures for drivers and passenger assistants to report problems or incidents?
- Are drivers and passenger assistants aware of how to deal with and report instances of poor behaviour?
- Are your drivers and passenger assistants aware of what to do should parents/carers not be at a drop-off point, especially for school year 1 – 6 or special educational needs pupils, and vulnerable adults?
- Have you assessed the pick-up and drop off points?
- Have all your drivers been provided with a copy of the Driving Risk Assessment and the appropriate Route Risk Assessment?
- Are you satisfied that sufficient time is allowed to complete the journey safely?

- Are you satisfied that sufficient consideration is given to adverse weather conditions, such as snow, ice or high winds, remote locations when planning journeys?
- Do you have clear emergency and evacuation procedures?
- Does the route use a motorway? If so, do you have specific emergency and evacuation procedures?

Please note that all services shall have a Route Risk Assessment in place prior to commencement of the service. This assessment should be reviewed on a regular basis to ensure any changes including the route followed, the pick-up and drop-off points, road layout, etc. have been included.

The Operator shall also have a Driving Risk Assessment. This can be integrated in to each Route Risk Assessment or be standalone.

Further information in relation to Health & Safety, including templates for risk assessments, can be found at [www.hse.gov.uk/simple-health-safety/risk/](http://www.hse.gov.uk/simple-health-safety/risk/) .

You may also find the HSE Driving for Work – Managing work-related road safety, a useful guide. This can be found with other useful information at [www.hse.gov.uk/workplacetransport/drivingforwork](http://www.hse.gov.uk/workplacetransport/drivingforwork).

### **Incidents and Accidents**

Operators must ensure that there is a clearly defined written procedure which must be followed in the event of a breakdown, accident, or other emergency incident (such as passenger illness) and that all drivers and passenger assistants are aware of and adhere to it. A copy of the procedure should be kept inside the vehicle.

### **Breakdowns**

In the event of a breakdown:

- The driver should move the vehicle off the carriageway (onto the hard shoulder on a motorway) and switch on the hazard warning lights. If this is not possible, it should be moved as far away from moving traffic as possible. If a warning triangle is used, it should be placed on the same side of the road, at least 45 metres from the vehicle. Always take great care when placing and retrieving a warning triangle and never use them on a motorway.
- The passengers should be kept together in one group. Passengers should be kept calm and under constant supervision. In some circumstances, it is safer to leave the passengers in the vehicle. For example, if it seems too dangerous to unload passengers in wheelchairs or if there is not a safe waiting area that can be accessed by the passengers. The driver (and Passenger Assistant if present) will need to assess the situation and decide whether or not to unload passengers. If necessary, the driver should go for help, leaving the

passengers with the passenger assistant. If the driver is the only adult present, he or she should not leave children alone. The driver will need to give the police, or breakdown service, accurate details of the vehicle location, and inform them if children or passengers with mobility problems are being carried.

- The passengers should be moved out of the nearside of the vehicle and as far away from it and other traffic as possible. No one should stand between the vehicle and oncoming traffic. On motorways or other busy roads passengers should be taken onto the embankment or grass margin and as far from the traffic as is practicable. The hard shoulder on a motorway is very dangerous.
- Depending on the location of the breakdown, pupils travelling on a school or public bus service may wish to leave the vehicle and walk home, or to school, depending on which is closest. Drivers should encourage them to wait for a replacement vehicle but may exercise their judgement and allow them to alight.

### **Accident**

In the event of an accident:

- the driver and/or the passenger assistant shall make the accident scene as safe as possible:
- use hazard warning lights and any other safety devices available
- do not move injured passengers unless they are in immediate danger of further injury from other vehicles or from fire or explosion
- call the emergency services immediately; provide them with information about the situation, any special circumstances (for example if carrying oxygen bottles) and if any passengers have special needs. If the emergency services are called the driver must stay at the scene of the accident until the emergency services (and anyone else with reasonable cause) have taken all the details.
- ensure one person (driver or PA) remains with the passengers, where possible, especially if they are children or vulnerable adults.
- do not allow passengers to assist with repairing or re-starting the vehicle and never allow them to push the vehicle.
- If the accident is damage-only and no one is injured, the driver should ensure that the vehicle is roadworthy before continuing the journey. The incident must be reported to the Operator at the time or upon their return. A report form must be kept for this purpose. The Operator should ensure that all repairs and insurance details are completed.



- If there is any injury or the names of people involved are not exchanged, the driver must report the accident to the Police as soon as possible or in any case within 24 hours.
- All accidents, which occur whilst under contract to the Council, must be reported to PTU as soon as possible using the “Passenger Transport Unit Operators Reporting of Accident/Injury or Near Miss form”.

### **Emergency Evacuations**

In the event of an accident, or other incident such as a fire, an emergency evacuation should be conducted.

The best way to evacuate the vehicle will depend upon the nature of the incident, the passenger group and the type of vehicle. Therefore, the driver, and passenger assistant(s) where they are available, will need to exercise their judgement at the scene of the incident.

Drivers and passenger assistants who have been trained will be far better equipped to make appropriate decisions and cope with such difficult circumstances.

Clear accident and emergency procedures should be in place and should be included in driver and passenger assistant training.

### **Daily Defect Checks and Vehicle Maintenance**

This guidance is provided to assist Operators to work both within legislation and the terms and conditions of Councils contracted services.

- All Operators are required to comply with the guidance issued in this document.
- All vehicles operating contracted services are required to have a daily defect check prior to the vehicle entering service each day.
- All defect checks should be recorded using the appropriate paperwork, carried on the vehicle on the day of the check, then kept on file and be available for inspection on request.
- Staff should be given training to enable them to carry out this activity and a record of this training should be held on individual staff files.
- Operators should have the means to rectify any defects which are identified during routine maintenance inspections and daily defect checks.
- All Operators are also required to provide records of vehicle maintenance which should be available for inspection on request. Vehicle maintenance must be carried out by a suitably qualified person at appropriate premises.

- There are no circumstances where it is acceptable for a vehicle which is unfit for service to operate on a contract undertaken on behalf of The Council

### **Role of the Contract Manager**

The Operators Contract Manager is responsible for the successful operation of the Contract and is the initial point of contact for anything in relation to the Contract. The Contract Manager must be empowered to act on behalf of the Operator for all purposes connected with the Contract.

The Contract Manager's key areas of responsibility are:

- compliance with the Terms & Conditions of Contract
- ensuring that they are contactable to assist with queries or resolve issues in relation to the services provided. Where the Contract Manager is unavailable due to illness or holiday, they must ensure that responsibility is delegated to another appropriate person who is fully empowered to act on behalf of the Operator for all purposes connected with this Agreement.
- monitoring performance
- ensuring they are available for meetings and inspection visits to the operating centre or head office. Contract Manager's may delegate this responsibility to another member of the Operators staff, this member of staff must be fully empowered to act on behalf of the Operator for all purposes connected with the Agreement. The named Contract Manager must be present for at least one inspection visit every 12 months where concerns or an Action Plan are in place.
- ensuring that all contract related paperwork issued by the Council is completed and returned within the timescales or available at the time of inspection
- ensuring that corrective action is taken, within the timescales specified, where an Improvement Action Plan is put in place
- ensuring that the Council is notified of any failure to operate, or late/early operation of contracted services
- ensuring that risks are identified and managed, and that route and driving risk assessments are in place and monitored
- ensuring that staff are aware of the correct procedures should parents/carers not be at the drop-off point
- ensuring that all appropriate insurances are in place and that confirmation of insurance renewal is provided upon request

- ensuring that all incidents and complaints which relate to the contract and its management are reported to the appropriate Authorised Officer in PTU
- managing changes or variations to the contract
- ensuring that effective communication is in place and maintained for all aspects relating to the contract
- investigating incidents and complaints in relation to the contract raised through the Council, ensuring that effective remedial or preventative action is put in place
- ensure the maintenance, and appropriate retention, of all contract documentation in an appropriate format and manner
- monitor compliance by the Operator staff including, sub contractors performance, customer service, contract terms & conditions, training and safeguarding requirements. This includes monitoring the actions of the Designated Person
- ensuring that submitted invoices are accurate and in the correct format, and that the Council is notified of any changes which affect any automatic payments that may be in place
- ensuring the attendance of Operator staff working on the contract at identified Council training events
- ensuring that only contract staff who have a valid Council DBS clearance and or Badge are used on the contract

Please note this list is not exhaustive.

The Council's Authorised Officer may remove the Contract Manager should the individual be deemed no longer suitable for this role.

### **Role of the Designated Person**

The Operators Designated Person is responsible for all the Disclosure & Barring Service (DBS) checks required in connection with the Contract. The Designated Person and the Contract Manager can be the same person.

The Designated Person's key areas of responsibility are: -

- ensuring that all Operator staff are in receipt of a Council DBS clearance and ID Badge (these are only issued to Passenger Assistants) prior to commencing work on the contract
- ensuring that all the appropriate checks including verification of identify, right to work and correct driving licences and categories (where appropriate), have been completed for all DBS applications with

- appropriate information retained on the individual's personnel file or other appropriate record systems
- ensuring that DBS renewal applications and Update System Registrations are submitted in advance of the current Council DBS expiring – 3 months prior to expiry is recommended
  - ensuring that the Council ID Badge for all contract staff who leave the Operator, for whatever reason, are returned to the Council with details and date of departure
  - management of general staffing issues, and the monitoring and recording of staff training

Please note this list is not exhaustive.

The Council's Authorised Officer may remove the Designated Person should the individual be deemed no longer suitable for this role.

#### Requirement to provide Information and Records

As per clause 14.2 of the Terms and Conditions, in pursuance of the Council's commitment to Best Value and continuing service improvement, the Operator will from time to time be required to provide the Council with information.

The Operator shall comply with this Schedule G throughout the Agreement. The Council reserves the right from time to time to issue amendments to this schedule and shall make available copies of the same to the Operator. Such amendments shall be deemed to form part of the terms and conditions of the Agreement and the Operator shall comply with the requirement set out within.