

Passenger Transport Services

April 2013 V4

CODE OF CONDUCT

OPERATING PRACTICES FOLLOWING
ASSESSMENT OF RISK

Code of Conduct for Operators,
Drivers & Passenger Assistants
engaged in Passenger Transport on
behalf of Shropshire Council



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This Code of Conduct is issued and applies to all operators, drivers and passenger assistants engaged in passenger transport provision on behalf of Shropshire Council. All drivers and passenger assistants must be fully aware of this Code as well as all relevant legal requirements. They must be properly trained in the use of equipment carried on the vehicle, in the evacuation of the vehicle and in emergency procedures. This Code should be carried on board all vehicles whilst on contract to the Council. There is also a Code of Conduct issued to transported school children.

The safety of passengers and other road users should be given the highest priorities at all times.

CHILDREN AND YOUNG PEOPLE'S SERVICES AND COMMUNITY SERVICES TRANSPORT

1 BREAKDOWNS, DELAYS OR FAILURES

In the event of a breakdown, delay or failure to operate prior to starting a route the operator should notify the School/Home/Centre immediately.

In the event of a breakdown whilst on the route, the driver (or passenger assistant where provided) must stay with the vehicle and passengers. He/she must summon help using a mobile telephone or asking for help from a passing motorist, pedestrian or householder. The School/Home/Centre and the Council must be notified immediately so that they can take all necessary action in respect of the breakdown.

The driver should give the passengers clear and concise advice about the action he/she is taking to deal with the problem and of any action they need to take to protect themselves.

The driver must advise the passengers to remain on the vehicle unless to do so puts them at risk. In certain circumstances, such as a vehicle fire or a breakdown in a dangerous position, passengers must be evacuated from the vehicle to an area of safety. The driver must always advise passengers not to attempt to walk or catch alternative transport to their destination and to wait for the replacement vehicle. In exceptional circumstances, where the chance of being able to obtain assistance is remote or for other emergency reasons, the driver may have to leave passengers unattended whilst summoning help. The driver must take all reasonable steps to secure the safety of the passengers.

Passengers must not be permitted to assist in the repair or recovery of the vehicle. The driver shall not leave any children in the vehicle unsupervised at any time except in the circumstances described above.

2 ACCIDENTS/ROAD COLLISION

The procedure is the same as for breakdowns. (See section 1 above) Any accident involving injury should be reported to the Police from the scene. Where there is a serious incident which involves an injury, the emergency services must be called and they will take control of the incident. The School/Centre will normally be responsible for informing the parents/carers about the incident and they will do so as soon as practicably possible.

Drivers/Operators should provide a list of the passengers involved and the details of the nature of the incident and of injuries, they should also communicate the time and location of the incident along with any other relevant information as soon as possible, liaising appropriately with the emergency services, as well as keeping the Council/School/Centre informed. Passengers involved should be looked after and kept informed by the driver who is in charge until the arrival of the emergency services.

In addition, the Council must be notified by telephone immediately and a report giving full details of the accident/illness must be sent to the Council within 2 working days.

In the event of personal injury, however minor, the School/Home/Centre and the Council must be notified immediately and a report submitted within 2 working days. Also parents/carers must be informed immediately of any incident.

In all but the most minor of injuries or illness, the passenger must receive medical assistance, whether at the roadside or hospital.

3 VEHICLES

Vehicles must be provided in accordance with the terms of the contract. Operators and drivers must at all times use only vehicles that are properly insured, roadworthy and mechanically sound and have all appropriate licences for the operation of the vehicle as required by Road Transport Regulations and current legislation. Vehicles must be clean and tidy.

It is recommended that kerb side mirrors are used on vehicles with automatic doors.

For emergency use drivers must carry mobile phones or other appropriate communication equipment, which should only be used when the vehicle is parked. Where reasonably practicable, vehicle engines should be turned off whilst waiting to pick up passengers to reduce smoke emissions, noise and other pollutants, as well as a matter of safe practice. Engines must not be left running unattended. If a driver leaves a vehicle it must be secured, locked and parked in a safe and appropriate place. *When a vehicle is parked, the ignition key should be removed.* Passengers should not normally be left alone.

For security reasons, vehicles must display the name of the company or the organisation to which they belong.

Vehicles must never carry more passengers than their legal capacity and as permitted by their insurance cover. The maximum permitted weight of the vehicle must not be exceeded.

Prior to use, the driver must always carry out routine checks on vehicles including: oil, tyres, lights, fuel and washer/wipe-systems. An “incident book” and pen should be carried on the vehicle to record problems with the vehicle and passengers care.

All vehicles must carry an appropriate first aid kit and fire extinguisher. It is also suggested that an emergency warning triangle and break glass hammer are carried, where it is not a legal requirement already. At the end of the journey drivers should always check there are no passengers or belongings left on board the vehicle, prior to moving off or parking/locking the vehicle. Tail lifts and ramps should only be operated by trained staff, when the vehicle is stationary and in a safe area. They should be properly inspected every six months and only used in accordance with manufacturer’s standard guidelines.

4 DRIVERS/PASSENGER ASSISTANTS

Drivers must have the appropriate licence for the vehicle they drive; these may include PCV, Hackney Carriage or Private Licences. Unlicensed drivers and all passenger assistants must be registered with the Council following a Disclosure & Barring Service (DBS) check. For Council owned vehicles a Council Driver Assessment Scheme Permit is required.

If a driver experiences a problem in the performance of his/her duties this must be reported to his/her manager and to the Council where appropriate.

A driver must only drive if medically fit to do so. Any medical problem that could affect their ability to drive should be reported to their manager and if appropriate to the DVLA Swansea. Drivers must always be rested and alert when they undertake their driving duties. UK Driver Hours Regulations should be observed at all times.

Passenger assistants are not provided on all vehicles and the need for a passenger assistant is dependent on a number of factors, such as the number of passengers on board a vehicle or the medical, physical or behavioural needs of a passenger, particularly if they could potentially cause harm to themselves or others.

Passenger assistants are expected to do the following:

- Ensure that all passengers are seated securely in the vehicle ensuring that all seat belts/harness and wheelchair restraints are fitted correctly
- Ensure that all passengers are handed over to an appropriate adult such as a teacher or parents/carers
- Engage with pupils where possible, examples of this could be singing, reading books or looking outside at local landmarks or objects
- Attend any training that is deemed necessary
- Never leave pupils unattended
- Treat all passengers with dignity and respect
- Be aware of and comply with Data Protection and Safety legislation
- Protect the safety of all passengers and show an empathy and understanding of their needs

Passenger assistants must normally be seated with the passengers.

If a driver/passenger assistant is charged with motoring or criminal offence, he/she must notify the Council immediately giving full details.

The Council would remind all contractors' staff of the confidential nature of work they undertake for the Council. Information gained as part of the contract, as well as personal or contractor views about the contract should not be divulged to any third party, including any public passengers', families, other contractors or the press or media.

If a driver, passenger assistant or contractor has any concerns they should be addressed to the Council in the first instance.

5 MANUAL HANDLING

Drivers and passenger assistants routinely work in an environment in which manual handling tasks cannot be eliminated. Whilst many of these tasks present a low risk, it is essential that all transport staff involved in any manual handling operation are familiar with and follow any risk assessment instruction. Every individual has differing capabilities and employees are expected to work within these, equally it is the individual's responsibility to avoid risk and report their concerns. Manual handling means any transporting or supporting of a load (including lifting, putting down, pushing, pulling, carrying or moving) by hand or bodily force. Some examples of manual handling tasks in transport are:

- Lifting a child onto or off of a seat
- Lifting and placing of buggies, bags and suitcases
- Folding and securing a wheelchair
- Pushing/pulling a wheelchair
- Supporting an individual

6 ROUTES

The required route must only be undertaken following an appropriate assessment of risks and the implementation of safe operating practices by the operator. The route must be operated in a safe way and in accordance with the Highway Code.

Drivers must not deviate from the contracted route unless for an emergency or road closure, and must not take passengers out of the vehicle for any reason whilst on the route nor must they interrupt the journey. The journey must be completed in accordance with the contract.

7 TIMINGS

Transport must operate at the agreed times. If for any reason this cannot be done, the School/Home/Centre and/or the parents/carers/service users must be told of the change or problem as soon as possible. The Council must be notified by the operator of any significant delay or problem. Arrivals at schools must be within 10 minutes preceding the start of the school day and departures within 10 minutes following the end of the school day. Operators must not combine contracts/routes.

8 IDENTIFICATION

Drivers and passenger assistants must present appropriate identification to Parents/Carers/Home Managers and School and College staff when collecting passengers.

9 PICK-UP AND DROP-OFF POINTS

At all times, the safety of passengers and other road users must have the highest priority and only the route specified by the Council should be operated.

Specifically:

- (a) Passengers must be picked up and dropped off at the point designated by the Council. Driver/passenger assistants must not change regular and established arrangements without the agreement of the Council.
- (b) Wherever possible suitable lay-bys must be used.
- (c) Passengers must alight onto the pavement or side of the road – never into the middle of the road or onto a central reservation of any kind.
- (d) Hazard warning lights must always be used when the vehicle is stationary whilst passengers are boarding or alighting.
- (e) Vehicle doors must only be operated by drivers or passengers assistants.
- (f) Drivers must ensure that all passengers are clear of the vehicle before moving off.
- (g) Where passengers get off the vehicle before their drop off point without the driver's permission, this must be reported to the Council immediately.
- (h) Drivers and passenger assistants should follow the instructions of authorised persons at the School/Home/Centre.
- (i) At some Schools/Homes/Centres, drivers and passenger assistants may need to assist passengers into the establishment.
- (j) Drivers/passenger assistants should never physically lift or carry passenger to and from the vehicle (unless in an emergency).
- (k) Drivers/passenger assistants should understand and agree precise collection and drop-off arrangements with the Parents/Carers/Heads/Managers of the Council.

10 PASSENGERS

Drivers and passenger assistants must not get involved in any personal, suggestive or intimate conversations with any passengers and neither must they touch, hold or make any other physical contact with passengers other than as may be required for the purpose of assisting a passenger to get into or out of the vehicle as appropriate, e.g. in the case of an elderly or physically disabled person or very young child. Any such assistance will normally be undertaken in the vicinity of parents/carers/School staff or Home/Centre staff. Drivers must not tease, play or 'fool around' with passengers and should not interfere with their belongings. If allegations of impropriety are made, drivers/passenger assistants may be suspended whilst the matter is investigated.

Where passengers have medical or associated problems whilst travelling on the transport, drivers and passenger assistants may be required to attend to the specific needs of an individual passenger. Full details of what may be involved together with any necessary training will be provided in each individual case.

Under no circumstances should a driver or passenger assistance strike a passenger. Where passengers are involved in fights or other violent confrontations, the driver/passenger assistant may need to use minimum appropriate physical restraint to resolve the problems (where there are concerns, training will be provided).

Drivers/passenger assistants must have appropriate details of the pupils/service users they are transporting and must ensure that they only transport authorised passengers. Under no circumstances should any other passengers be transported without the agreement of the Council.

If the driver of a local bus service has reasonable cause to believe that a member of the public is under the influence of substances, drugs or alcohol and is behaving in such a manner as to put the vehicle, driver, passenger assistance or other passengers or other road user at risk he/she may refuse to transport that passenger, as can a driver of a contracted route. Any incident should be reported to the Council.

Drivers must treat passengers, particularly those with special needs, with care, respect and dignity. To assist in this regular drivers are preferred. The Council has a duty of care for passengers whilst they are on their transport. If no one is available to accept the passengers the driver/passenger assistance should contact the School/Council.

11 SITTING/SEAT BELTS

All passengers must be properly seated whilst the vehicle is in motion unless travelling on a public service vehicle in which standing is permitted. The numbers carried must not exceed those allowed by law. Seat belts must be worn where these are provided. It is preferred that seats belts are retractable, and of the lap and diagonal type. A vehicle must not be used to carry more passengers than the number of seats belts available.

Cars (i.e. vehicles of 1-8 passenger seats)

The passenger seating capacity will normally be represented by the number of seats with retractable seat belts fitted. All seats must have seat belts fitted. At the start of every journey driver must ensure visually that all children are wearing correctly fitted and adjusted belts. Lap belts must only be used when all diagonal belts are in use. Booster seats must be available for young children where appropriate. Where passengers are unable to properly fit and adjust their own seat belts the driver or passenger assistance should assist the passenger to undertake this task telling them exactly what they are doing and why.

Parents/carers/schools/home/centre staff will normally advise drivers and passenger assistants of the particular needs of individual passengers. All travelling children/adults should normally be able to fit their car seat belts by themselves and they should do this. If they cannot, they should receive appropriate training and /or advice from their parents/carers, the school/centre or the transport operator. Only where children or adults have special needs should any physical assistance be provided, but the nature of any assistance will be agreed with parents/carers and school /centre staff in advance.

Passengers should always sit in the rear of the car whilst there are spare seats and lap and diagonal seat belts available. For children under 14 years of age, the driver has a legal responsibility to ensure seat belts are worn where available. If any passengers refuse to wear a seatbelt they will not be transported. Passengers must wear seat belts where fitted and drivers must remind them of this.

Vehicles of 9 passenger seats and over

Passengers must always wear seat belts where fitted and operators/drivers must ensure that means are put in place to advise on this, where static seat belts are fitted. Operators need to correctly pre-adjust these to accommodate any young pupils or those with specific needs, who cannot adjust them themselves.

12 SAFETY RESTRAINING

For passengers with particular needs specific harnesses and seats will be provided and must be used. Whether or not such restraints are available, safety belts should always be used.

13 WHEELCHAIRS

Wheelchairs must be properly secured in vehicles and be positioned as not to impede any exits or block gangways. Wheelchair occupants must also be secured by appropriate seat belts and in some cases also by adjustable harnesses. Webbing restraints are preferred to ratchet clamps.

14 ALCOHOL, DRUGS AND SMOKING

Drivers, passenger assistants and passengers are prohibited from taking alcohol, illegal substances, drugs or smoking on any vehicle.

15 EQUALITY

Shropshire Council is committed to equality. Drivers/passenger assistance should not discriminate on grounds of gender, race, ethnicity, religion, disability or age.

16 FIRST AID/INFECTION CONTROL/ILLNESS

Infection control is very important and the basic rules of hygiene should be followed at all times. Washing hands properly is important (cleansing gels can be used where soap and water is unavailable), as is properly covering cuts, sneezing or coughing into a tissue or handkerchief, using disposable gloves when in contact with bodily fluids, having spill kits available and properly cleaning the interior of vehicles. (Further detailed information available on request)

If a passenger becomes ill during transit the driver may need to return the passenger home or the School/Centre (subject to advice from the Council). Medical help should always be sought where necessary.

Drivers and passenger assistants must only administer first aid within their competence. Drivers or passenger assistants must not administer drugs or medication to passengers (unless instructed to do so following appropriate training for a named passenger).

Written records or reports should be accurate, clear, correct, legible, signed and dated.

17 GENERAL CONDUCT

At all times drivers and passenger assistants are expected to behave in a courteous and polite manner and one appropriate to the job they are doing. They must treat the transport they provide and any information they receive with an appropriate level of confidentiality. Drivers and passenger assistants must work as a team and support each other. They must always look after the health, welfare, safety and comfort of their passengers. Drivers and passenger assistants division of work should be agreed and clear.

Any information provided by the Council must be handled appropriate and in accordance with the Data Protection Act 1998. Any personal information should:

- only be used for its stated purpose
- only be kept for as long as is necessary as part of this agreement
- be restricted to those staff directly involved in providing the service

‘It should be understood the Council will seek to recover any claims/damages made against it as a result of inappropriate use of information’.

18 RELATIONSHIP WITH PARENTS/CARERS/PASSENGERS/SERVICE USERS AND COUNCIL STAFF

Drivers and passenger assistants must act in a helpful, pleasant and professional manner at all times, report any problems or concerns to the School/Home/Centre and/or the Council and follow instructions and guidance from School/Home/Centre staff. They must not enter into any inappropriate relationships with anyone.

19 SEVERE WEATHER

Operators should remind drivers of the danger presented by ice, frost, rain, floods, fog, high winds, and snow and to drive accordingly to the conditions. In wintry or severe weather conditions operators should monitor weather forecasts and road conditions and liaise with Schools/Homes/Centres where there may be a problem with the transport. Drivers must only attempt to negotiate routes where they consider it is reasonably safe to do so. Schools/Homes/Centres must always be notified of any problems as soon as they arise. Local radio will do its best to broadcast details of School/Home/Centre closures and problems. Dipped headlights must always be used in bad weather where visibility is restricted.

Where school transport is unable to operate in the morning due to severe weather, and the weather has improved during the day, the operator should liaise with the School/Home/Centre and the Council to enquire whether any pupils require transport home in the afternoon.

If an operator arrives at a School/Home/Centre in the morning and it has shut, they should liaise with staff or contact the Council for advice about returning passengers home - passengers will normally have to return home, but it is important to be sure that parents/carers will be available at home to receive them.

Where an operator decides not to operate a route, this should be passed on to the School/Home/Centre as early in the morning as possible; if parents are able to be contacted about the non-operation of the route, this would be helpful.

In severe weather the Council may operate a telephone helpline (the 'emergency helpline) and operators should telephone the Council with details of problems on 01743 253044 or 01743 253031.

20 DRIVING

Drivers must always drive safely, with due care and attention, at an appropriate speed for the road and prevailing conditions and within the terms of the Highway Code. They must show dignity and respect for their passengers and other road users.

21 COUNCIL EMPLOYEES

Council employees must adhere to the Council employee Code of Conduct and to the Health and Safety Policy. They must abide by instructions from an appropriate officer of the council. Statements and communications to the press and media are made by or in liaison with the Council's press and public relations office and Council employees should adhere to this protocol. They should contact their line manager for guidance if they have any potential contact by the press or media.

22 QUALITY OF SERVICE MONITOR CHECKS

Officers of the Council undertake random spot checks on transport routes to ensure that the requirements of this code are adhered to and to ensure all contract requirements are being met.

23 TRAINING AND ADVICE

Training will be provided by the authority for relevant driver/passenger assistant. Further details are available from the Passenger Transport Services (see address at end of this leaflet).

24 PRESENTS

Drivers and passenger assistants must not offer any gifts (including sweets and magazines) to any children or passengers that they are transporting without the agreement of the Headteacher or Centre/Home Manager.

25 CONCERNS

If any person has concerns about any issue regarding aspects of the transport provision, they have a duty to report that matter to the Council; anyone can contact the Council on 0345 678 9000 (or by any other means) to report their concerns. If you suspect a passenger is being subjected to any form of abuse you should contact us immediately on 0345 678 9000.

SCHOOL TRANSPORT SPECIFIC

26 ROUTE NUMBER/GENEVA SIGN

The allocated route number must be displayed in the vehicle whilst on contract to the Council. The “Geneva” sign should be displayed on home to school routes provided by PCV vehicles (unless on a local bus service in receipt of BSOG).

27 COLLECTION AND DELIVERY OF PUPILS

- (a) Children designated as having special needs must always be collected from and handed over by the driver or passenger assistant to their parents/school staff at the start and end of their journey unless there are agreed alternative arrangements.
- (b) Collection and delivery of pupils at school must be made on or next to the school site wherever possible.
- (c) Where pupils are unavailable for collection by car, taxi or mini-bus in the mornings, drivers should normally wait no more than five minutes from agreed time. Any unexpected non-collections must be reported to the School and/the Council.
- (d) It should be noted that parents are fully responsible for the safety and care of their children until they board the provided transport at the designated pick-up point and, on the return journey, from the moment they alight from the vehicle at the designated drop-off point. The Local Authority normally takes on a duty of care for children from their parents, at the moment the children board the vehicle. The duty of care is maintained until the children disembark at the agreed drop off in the afternoon, when it transfers back to the parents. Where parents are not at the drop off point the driver must always consider the safety and welfare of the child. Where primary school children are regularly met in the afternoon by their parents, those children must not be released from the care of the operator if the parental collection arrangements break down on any particular afternoon. It may mean waiting for the parents for 5 minutes or so or keeping the child on the vehicle and returning to the drop-off point or home later. Drivers must always report such cases to the School or Council. If the parents remain unavailable to receive their child they may have to be returned to school -advice must be sought from the Council and the school and outside specific times, the Police. Drivers/passenger assistants must not normally take instructions from pupils on pick up/drop off points or amendments to transport arrangements.
- (e) All parties (e.g. parents, drivers, school staff) should as a matter of good practice understand and agree the time and the mechanics of the transfer between them of the duty of the care of the children; these will vary from case to case depending on prevailing circumstances.
- (f) Where ‘link’ transport is provided drivers should not release pupils from their care until they are transferred to the next vehicle.
- (g) In the morning, schools need to make appropriate arrangements to receive pupils into their duty of care and the same is the case when they transfer pupils from their care to the transport operators in the afternoon. This needs to be done in partnership with transport operators. Details of these arrangements should as a matter of good practice be agreed for every pupil or group of pupils.

(h) Where transport is late, pupils should wait at least 10 minutes after the scheduled pick-up time before contacting their parents or returning home. Prevailing circumstances and weather conditions are important factors in deciding how long beyond 10 minutes pupils need to wait.

28 DISCIPLINE AND MISBEHAVIOUR

The driver (and passenger assistant where provided) must maintain order amongst the children during the journey. The operator/driver/ passenger assistant must report any problems or misbehaviour to the Headteacher and the Council immediately, with the date, time, location, description of the incident and the names of the children involved (N.B. knowing the names of the children involved is important). Maintenance of order must, as far as is practicable, be done in such a way as to ensure that the children have a pleasant journey. Under no circumstances should a child be turned off a vehicle when on a school journey. However a driver who experiences serious misbehaviour may need to return to the school or stop and summon help from the Police, Council or school.

29 TRAVEL PASSES

On all transport (except that provided for pupils with special needs) travel passes must always be checked by the driver and any problems reported to the Council. Authorised pupils should not be refused transport because they do not have their travel passes on a particular day – any such incidents should be reported to the School/Council.

History:

Aug 2009	new issue	Issued 2 September 2009
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For further information please contact:

