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Community Transport Operations Manual for London

An essential guide for
community transport
operators



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consultancy

CTA Trading Limited

**LONDON
COUNCILS**

This handbook is part of a
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Responsibilities and Duties of the Operations Manager

The Prime Responsibility of the Operations Manager is:

- a) To provide an economic and efficient community transport service for individuals and groups in need of the service. The Operations Manager should ensure that vehicles and other transport services are limited to serve only those transport needs that are only used within the constitutional remit of the organisation.
- b) To fully utilise vehicles within the fleet ensuring that the necessary statutory requirements under road transport and health and safety at work legislation are fully observed. The Operations Manager is responsible for keeping abreast of developments in transport legislation.

The Main Duties of the Operations Manager may be Summarised as Follows:

- a) To arrange the necessary daily driver checks, safety inspections, MOT requirements, maintenance and repair of vehicles. This should be planned to minimise costs while ensuring the road worthiness of vehicles. Inspections, repairs and servicing should be carried out by the most economic means available having regard to the standard of workmanship and quality of service.
- b) To provide advice on the organisation's procurement policies for vehicles. Vehicles should be procured by the most cost effective means using e.g. the Vehicle Purchasing and Leasing Scheme for CTA members in association with UniLink Finance Ltd and Driver Advantage Ltd or other tendering processes. Access to the Vehicle Purchase and Leasing Scheme is only available to CTA members through the members' area of the CTA website. Vehicle specifications should be at an appropriate level consistent with the needs of the service and must comply with all legal requirements, such as Construction and Use regulations and EU Type Approval requirements.
- c) To control the use of the organisations vehicles, in that:
 - i) Vehicles should only be used in official business and should always be driven by authorised drivers
 - ii) Vehicles should only carry authorised passengers and staff
 - iii) Journeys should be arranged and vehicles used in the most cost effective manner
 - iv) The vehicle used should be appropriate for the purpose of the journey
 - v) Records should be maintained for all journey purposes
- d) To maintain comprehensive vehicle records of defects, servicing and repairs.
- e) To ensure that there is a comprehensive management information system in place which records the necessary data to:
 - i) Allow monitoring of fleet utilisation, fuel consumption and servicing costs against expected standards
 - ii) Ensure that regular maintenance and where necessary, vehicle testing are carried out on a timely basis

- iii) Ensure that vehicles, fuel and equipment are properly used for official purposes
- iv) Review the level of need for all vehicles
- v) Identify in advance any vehicles due for scheduled replacement e.g. by fleet replacement policy
- vi) Ensure that daily vehicle checks are performed
- vii) Manage transport staff

The Operations Manager should ensure that:

- a) Each and every person within the organisation understands their individual responsibilities and authority
- b) An effective system of communication is maintained to advise staff of legal requirements and organisational guidelines
- c) Spot checks are carried out on vehicles to ensure:
 - i) That they are kept clean inside and out
 - ii) Appropriate and current permits are displayed on the windscreen of vehicles
 - iii) The vehicle registration certificate (V5C) is up to date
 - iv) The vehicle is in a roadworthy condition

Checking and Care of Vehicles

For legal and safety reasons minibuses must be properly maintained. This requires planning and sound organisation. A number of systems have to be in place to ensure everyone knows their responsibilities and to allow remedial action to be taken when problems occur.

The organisation should adopt a best practice maintenance strategy. In some instances, this will exceed legal requirements because these can only ever be viewed as an absolute minimum level of acceptable practice.

Planned Vehicle Maintenance

By having a planned vehicle maintenance system, unexpected delays and vehicle down-time will be avoided. The maintenance plan consists of a number of key elements, which are set up in advance. 'Prevention is better than cure' may well be a cliché, but it is a perfect description of the process described below. Implementing a vehicle maintenance system will save time and money and it ensures that the operation runs smoothly.

The minibus maintenance programme should include the following key elements:

- Identifying a responsible person within the organisation to carry out checks and to ensure permits are in place
- Planning vehicle maintenance
- New vehicle or first use checks
- Minibus safety audits
- Daily vehicle checks and defect reporting
- Weekly vehicle checks and defect system monitoring
- Manufacturer/lease company service schedule
- Annual MoT tests
- Regular safety inspections
- Breakdown recovery contract
- Recording and reporting vehicle defects and safety inspections
- Passenger access and safety equipment inspections
- Staff and driver training

Recommended Reading

Refer to CTA's advice on [Maintenance Schedules](#) that includes maintenance scheduling, routine daily checks, fault and defect reporting systems, recommended manufacturer's guide, servicing and maintenance, safety inspections and MOT checks.

Refer to VOSA's [Guide to Maintaining Roadworthiness](#) (2007) as it provides useful information to CT operators, drivers and other staff involved in passenger carrying vehicles. It encourages the Operations Manager to review whether or not they are properly carrying out routine vehicle checks at the right frequency.

Preventative Maintenance

The vehicle is to be maintained to a high standard of roadworthiness at all times (refer to VOSA's Guide to Maintaining Roadworthiness). In common with commercially operated vehicles, the organisation must have a scheduled programme of servicing and safety inspections. The organisation can be asked to provide evidence that it is keeping to the schedule, for example, if a VOSA roadside inspection reveals a serious safety related defect, a prohibition notice will be issued and a depot visit might ensue, therefore all maintenance work must be documented and thorough records kept. The maintenance defect repair work must be completed and documented. It is advisable that operators should keep records of repair work and safety inspections for at least 15 months.

Servicing and Inspection Intervals

The programme of servicing set out by the vehicle manufacturer will form the basis of the maintenance programme. Routine safety inspections should be carried out at pre-determined intervals which are time rather than mileage based, e.g. every 6 weeks (the interval will depend on the amount of use the vehicle has and on the nature of that use.) VOSA recommend that safety inspections are carried out at intervals not greater than every 10 weeks. The items covered in a safety inspection are similar to those checked during the annual MOT. There must be a documented record of each inspection, signed by a 'competent' person, that the vehicle is roadworthy and should remain so until the next inspection is due.

The Owners Manual (supplied with the vehicle) should indicate a minimum recommended maintenance interval as stipulated by the vehicle manufacturer. Some organisations who have leased buses have a scheduled servicing arrangement outlined in the leasing agreement. Therefore some buses may be serviced more frequently than other buses, owned or leased through an alternative arrangement.

Daily/Weekly Vehicle Checks

As part of the preventative maintenance, the organisation should ensure all drivers perform daily and weekly checks on each vehicle taken out.

Daily Vehicle Checks

Make it normal practice for drivers to check a vehicle every time it is taken on a trip. The reporting, rectification and recording of defects is a vital element of the vehicle maintenance system.

Weekly Vehicle Checks

Appoint a responsible staff member to complete a weekly check of vehicles. Weekly checks should include any items not covered under the normal daily checks. A weekly check can also be used to verify that the driver daily checks are completed.

During the weekly vehicle check an inspection of the accessible equipment should be completed to ensure it is in working order. This check should look

at the passenger lift operation, side step action, seatbelts, webbing etc. Passenger lifts and ramps are required to be inspected in line with the Lifting Operation and Lifting Equipment Regulations (LOLER 1998).

Passenger lifts and ramps must be inspected as per manufacturer's instructions. The passenger lifts and ramps should be inspected every 6 months or if under heavy usage every 1750 cycles. It is recommended that they are load-tested annually by a competent person. Under the LOLER regulations all passenger carrying lifts should have a Statutory Thorough Examination (STE) every 6 months, which should be carried out by a competent person and independent of any servicing. Following an inspection a report must be given to an appropriate person in the organisation to ensure that the relevant action has been taken to repair any faults or defects. These inspection reports must be kept for up to two years.

Weekly vehicle checks should also look at other aspects of the vehicle such as cleanliness (inside and out) and that all signage for exits or vehicle livery is displayed properly and in good repair. Operators should also make sure that seat belts, fire extinguishers and all other safety equipment is in good working order. In the event of damage or suspected failure, immediate steps should be taken to have the equipment checked by the supplier or their authorised agent.

Preventative Maintenance Checklist

- What is the programme of servicing for each vehicle?
- Does this programme allow for regular safety inspections for each vehicle? (no less than 10 weekly intervals)
- Has the vehicle been booked as being off road on the dates for servicing and safety inspections in the diary/planned schedule of trips?
- Who provides this servicing?
- Is all the contact information for the servicing contractor readily available in the office?
- Is there a checklist for each service that can be counter-signed by the contractor?
- How are services reported/recorded?
- Who holds copies of the vehicle service history?
- Does the organisation have copies of the vehicle service history?
- Are all drivers trained to perform daily/weekly vehicle checks?
- Do the drivers have a daily defect reporting form to complete?
- Is that form provided with keys or held in the bus?
- If the report is held in the vehicle is there a procedure for that information to be reported to the office?
- If a driver needs to report a defect, what is the procedure to do so?
- Who repairs minor defects?
- Does the organisation have a policy regarding repairs (time off road, how quickly repairs are completed, replacement vehicles etc)?
- Do weekly checks include inspections of accessible equipment?
- Is there a health and safety policy and a mechanism for all staff to report concerns under manual handling and use of work equipment

including passenger lift failure/problems?

Recommended Reading:

Refer to VOSA's Guide to Maintaining Roadworthiness which contains an example of a maintenance agreement.

Staff and Driver Training

All the planned maintenance and care of vehicles will be of no benefit if the minibus and its contents are not used properly. Staff and drivers need the correct training in order to implement the minibus maintenance systems effectively. This need not be a complicated task, it just needs the most appropriate people, preferably with a basic technical ability (in order to carry out daily and weekly checks) and knowledge of how the reporting and recording systems should be operated. If the organisation is unable to provide this training then contact the CTA who can provide the organisation with a list of names of appropriate MiDAS Driver Assessor/Trainers (DATS) or MiDAS Training Agencies that will assist.

Ensure all drivers (employed and volunteer) have taken and passed MiDAS and/or MiDAS Car and MPV and/or MiDAS Passenger Assistant Training Scheme (PATS). MiDAS is the Minibus Driver Awareness Scheme organised by CTA, which promotes a nationally recognised standard for the assessment and training of minibus drivers. MiDAS is applicable to any organisation operating or using minibuses. MiDAS Car and MPV is a training scheme for organisations operating smaller vehicles, e.g. for the purpose of a volunteer car scheme.

The MiDAS Passenger Assistant Training Scheme (PATS) is a nationally recognised standard of training for staff and drivers whose role it is to provide care and assistance to passengers. PATS members make a commitment to assess the training needs of staff performing the role of passenger assistant on a vehicle. The CTA has identified and appointed a number of training agents across the UK to provide MiDAS, MiDAS Car and MPV and MiDAS Assistant training to organisations. For further information on MiDAS, MiDAS Car and MPV and MiDAS Assistant training agents, go to the CTA website.

MiDAS certificates are renewed at the appropriate date. MiDAS will give all persons driving the buses the basic knowledge and instruction on how to complete daily vehicle checks, how to record and report faults and what to do in an emergency or accident. In performing weekly checks it will be possible to establish if the daily vehicle checks have been completed to the correct standard by drivers.

It is important to remember to provide drivers with the appropriate information they will require to complete daily vehicle checks and defect reporting. This includes a daily vehicle check list, a defect report form and any statistical information needed for funder/vehicle use. It is the responsibility of the organisation to provide information for drivers.

Driver Guidelines

Employee and volunteer drivers may fall into routine and not complete checks fully. It is important to provide these drivers with a set of guidelines. The following guidelines are included in the MiDAS training programme and should be presented to each driver in the form of a driver handbook for reference.

MiDAS states that it is the driver's legal responsibility to inspect the condition of the vehicle that they are driving at all times. Before the driver starts a journey it is important to carry out the following steps and record on a log sheet (a sample log sheet can be downloaded from the CTA web site):

- The driver should walk round the vehicle checking the bodywork, tyre condition and operation of lights, horn and windscreen wipers
- Any item that appears in need of attention should be noted as a defect on the log sheet, and reported immediately to the organisation. The driver must not drive the vehicle until defects have been investigated and rectified where necessary
- If there are no defects, "Nil" should be entered on the log sheet
- Read and sign the declaration on the log sheet
- Enter the start mileage on the log sheet
- If the driver forgets to fill in the mileage correctly, an estimated mileage figure is required and the hirer may end up paying more than they should

At the End of a Journey

- Park the minibus in the designated parking place
- Engage the handbrake
- Check all switches are left in the "off" position
- Check all vehicle windows, doors and roof vents are properly closed and locked
- Remove any litter from the vehicle
- Check the vehicle for any lost property

Log Sheet

- Enter the finish mileage, the number of passengers carried if required, and any other relevant information on the log sheet (e.g. if the passenger lift was used and if fuel was purchased)
- Walk round the vehicle and check the external condition, noting any damage on the log sheet
- All damage, even of a minor nature (e.g. breaking a mirror), must be reported to the organisation as soon as possible
- If aware of any vehicle defects, document them in the appropriate place on the log sheet (or Defect Report Form)
- Return the log sheet and keys to the office, along with any receipts for fuel and oil purchased for the vehicle during the hire

Service of Passenger Lifts

Passenger lifts will require both regular servicing and weight testing (to ensure that they are capable of safely lifting the weight for which they are designed). The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) states that passenger lifts must be serviced at least every 6 months and weight tested annually by a competent person. Following an inspection, a report must be issued to an appropriate person in the organisation to ensure that the relevant action can be taken to repair any faults or defects found. These inspection reports must be kept for a minimum of 2 years. Passenger and wheelchair restraint systems should be checked weekly, to ensure correct operation. Make sure that all webbing is free from cuts or abrasions and that there are no broken or sharp components, which can cause injury.

Checklist

- How many vehicles have passenger lifts?
- What is the make and model of each passenger lift?
- What weight can each lift carry safely?
- Who services each passenger lift?
- What is the timetable service for each passenger lift?
- Has the passenger lift servicing contractor agreed these dates?
- Has each bus been booked as out of operation on the day of each passenger lift service?
- Is there a copy of the passenger lift service history and a certificate for each service?
- Are all drivers/passenger assistants trained to use each type of passenger lift and accessible equipment?
- Is there someone responsible in the organisation that has been given the task of checking accessible equipment weekly?
- Is there a checklist for that person to follow?
- Where will this information be held /recorded?

Recommended Reading:

Refer to the CTA Professional Services ; Dept of Transport, Code of Practice – The Safety of Passengers in Wheelchairs on Buses, May 1987 Publication VSE 87/1; Ricability Wheels within Wheels for wheelchair specification, weight advice etc.

Refer to LOLER – Lifting Operations & Lifting Equipment Regulations (UK 1998)

Defect Reporting and Repairs

Drivers are responsible for the condition of their vehicles when in use on the road and must, therefore be able to report any defects or symptoms of defects that could prevent the safe operation of vehicles. In addition to daily checks drivers must monitor the roadworthiness of their vehicles when being driven (refer to VOSA's Guide to Maintaining Roadworthiness) and be alert to any indication that the vehicle is developing a fault e.g. warning lights, exhaust emitting too much smoke, vibrations or other symptoms.

Even with regular servicing and a rigorous weekly/daily checking system, other faults or defects will still occur from time to time. In order to ensure that these are rectified as soon as possible a formal defect reporting system has been established. If a defect is found it is to be noted in the space provided on the daily vehicle check sheet. The details recorded should include vehicle registration or identification mark, date, details of the defects or symptoms and the reporter's name. The driver must then give the defect report to the designated person in the office, who must then ensure that appropriate action is taken.

It is important to note that any report listing defects is part of the vehicle's maintenance record and must be kept together with details of the action taken, for at least 15 months.

Checklist for Defect Reporting and Repairs

- Ensure all staff and drivers know of the defect reporting structure and have received training of the relevant procedures
- Ensure correct paperwork is available for staff/drivers to enable them to make reports
- Ensure that any minor repairs completed by staff or drivers are covered under leasing/ insurance terms
- Ensure contact details for the servicing/repair contractor are available in the office
- Book vehicles in for repair as soon as possible and have work completed
- Record any repair work on the defect form to show work has been finished/completed

Emergency and Breakdown

Even if the organisation has a top quality vehicle and they maintain it meticulously, there is still a chance it will breakdown or an emergency may occur that is outside the organisation's control

It is important to find out:

- If the insurance company has an approved local breakdown service provider?
- How long will it take this breakdown service to reach a bus?
- Can they provide a replacement, accessible bus to transport the passengers?
- If the spare tyre is not carried on the bus can this breakdown service provider bring the tyre to the location and change it?

Make sure a copy of each bus key number is kept in the office; therefore if a key is lost then it will be easier to have a replacement cut. It is recommended to keep a spare set of keys in a safe in the office.

Emergency Equipment

Schedule 7 of the Road Vehicles (Construction and Use Regulations) 1986, sets out regulations relating to fire extinguishers and first aid kit content for minibuses.

Fire Extinguishers

They are sited in offices and should be checked by a qualified engineer on an annual basis. The organisation should:

- Ensure that the same checks are carried out for extinguishers located on board the organisation's minibuses.
- Make it normal practice for the organisation to have regular fire evacuation training for all staff and drivers at regular intervals.

In the vehicle there should be at least one fire extinguisher which complies with the specifications for portable fire extinguishers issued by the British Standards Institution numbered BS EN3 (or BS 5423 if the fire extinguisher is dated before January 1997), which:-

- Minimum test rating of 8A or 21 B
- Contains water or foam (foam is the best option)

First Aid Kits

As soon as first aid items have been used they must be replaced. It is a good idea to stick a paper label onto kits, which then has to be ripped in order to open the kit. A quick visual check can then be made to ascertain whether the kit has been used (this saves counting out all the contents every time a check is made). In the vehicle there should be a suitable, clearly marked, first aid box, which is readily available for use and kept in good condition.

The following items must be kept in good condition:

- Ten antiseptic wipes which have foil packaging

- One disposable bandage (not less than 7.5 cm wide)
- Two triangular bandages
- One packet of 24 assorted adhesive dressings
- Three large sterile un-medicated ambulance dressings (not less than 15.0cm x 20.0cm)
- Two sterile eye pads, with attachments
- Twelve assorted safety pins
- One pair of rustproof blunt-ended scissors

First aid should only be administered by staff or drivers that have received training. If the fire extinguisher or first aid kit is located behind glass make sure the emergency hammer is available on the bus next to each item.

Draw up emergency procedures and ensure all staff and drivers are aware of the following:

- The need to keep calm
- How to care for passengers and drivers
- Evacuation procedures- staff can undertake the MiDAS specialist module '5 Steps to Safety'
- How to report a breakdown/emergency
- Where to locate the breakdown service number on the bus
- The provision of an emergency contact number for outside office hours

Provide buses/drivers with:

- Torch
- Map
- Emergency contact numbers
- A disposable camera in order to record damage

Ask drivers to carry:

- A mobile phone or phone card/change for public phone
- A passenger list
- An emergency contact for the individual/destination/group hire leader

Note:

Create a policy regarding steps to take in the event of an emergency or breakdown and have it ratified by the Board of Directors/ Management Committee.

Legal Requirements and Testing

Driver Licenses- The following table 7.1 refers to drivers of both Section 19 and Section 22 permit operations:

Size of Vehicle	Driver
Small Bus 9 to 16 passenger seats	Holds a full Cat D1 licence with no restrictions. Can be paid to drive or be a volunteer.
	Holds a full Cat B licence prior to 1/1/97 and holds Cat D1 (101) (not for hire or reward). Can be paid to drive or be a volunteer.
	Holds a full Cat B licence for at least 2 years; Is aged 21 or over; Can not pull a trailer if licence is obtained after 1/1/97; Receives no other consideration for driving other than out of pocket expenses; If aged over 70 has to meet the required higher medical standards when their licence is renewed; Maximum Authorised Mass can not exceed 3500kg or 4250kg if fitted with specialised equipment for disabled.
Large Bus 17 or more passenger seats	Full Cat D licence
Car/MPV with 8 or less passenger seats	Holds Full Cat B licence for at least 2 years (not including the provisional period), and is aged 21 or over. Driver can be paid when driving a vehicle constructed to carry up to 8 passengers.

Training

In addition to holding the appropriate driving licence the CTA recommends that drivers should undertake additional training, for example the Minibus Driver Awareness Scheme (MiDAS) .

Tax, Insurance & MOT Licenses

All the general motoring requirements of the various Road Traffic Acts must be met and so the vehicles (cars, people carriers, minibuses and coaches) used by the community transport operator must display a valid Vehicle Excise Duty disc. For additional information on registering and taxing the vehicle, go

to the Driver and Vehicle Licensing Agency or Vehicle Registration in the Operations Section of this Operations Manual.

Under the Road Traffic Act 1988 it is an offence for the vehicle not to be covered by third party insurance. It is essential that the correct cover is also obtained for the organisation. For further information or advice contact the CTA Advice team. CTA also have a CTA insurance scheme which offers specialist insurance policies based specifically on CTA Member's requirements, for further information contact CTA or go to Insurance in the Operations Section of this Operations Manual.

MOT test rules for minibuses are different to those for cars. More information is available from the DVLA and CTA. The vehicle registration and excise duty rules for minibuses are available from the DVLA and the CTA.

Construction & Use Regulations

Schedules 6 & 7 of the Road Vehicles (Construction & Use Regulations) 1986 are mandatory for all minibuses first used on or after 1st April 1988. The 1986 Regulations apply to all users, not just those operating under a Permit. The responsibility for complying with these regulations lies with both the driver and their employer, which would commonly be identified as the body holding the Permit.

Emergency Doors

Schedule 6 covers emergency doors and requires that they need to be clearly marked, in letters not less than 25 mm high, on the inside and the outside. The wording used is 'EMERGENCY DOOR' or 'FOR EMERGENCY USE ONLY' and for means of its operation 'PULL TO OPEN' is placed clearly on or near the door.

Fire Extinguishers & First Aid Boxes

Schedule 7 covers fire extinguishers and first aid boxes and states that their locations should be identified by signs when they are not visible. Fire extinguishers should be readily available for use; clearly marked with the appropriate British Standards Institution specification number and maintained in good and efficient working order. First aid boxes need to be maintained in a good condition, readily available for use and prominently marked as a first aid receptacle.

Carrying Capacity

The Public Service Vehicles (Carrying Capacity) Regulations 1984 states that the operator of a vehicle shall mark the vehicle's passenger capacity on the inside of the vehicle with letters not less than 25 millimetres in height, in a colour contrasting with the colour of their background and which may be read from inside or outside of the vehicle. It should state the maximum seating capacity of the vehicle as specified in Regulation 4, or if it is less the operator can number the passenger seats with which the vehicle is fitted; and the standing capacity (be it nil or otherwise) of the vehicle as specified in Regulation 6. VSE87/1 also recommends that alternative arrangements may be shown, e.g. 'Maximum number of passengers: 15 seated or 6 seated and

4 in wheelchairs.

Road Speed Limiters

The Road Traffic Act 1988, as amended by Statutory Instrument 1988/271 states every vehicle is required to be fitted with a Road Speed Limiter and must have a plate fitted in a conspicuous and readily accessible position in the driving compartment showing clearly and indelibly the speed at which the Road Speed Limiter has been set.

Seatbelt Signs

The Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations 2006 implemented the need to notify passengers that they need to wear the seat belt provided. This can be most easily achieved by displaying the prescribed pictogram visible at every seat point.

No Smoking Signs

The Health Bill 2006 introduced legislation for smoke free places and the need to display prescribed signs, the Smoke-free (Exemptions and Vehicles) Regulations 2007 extended the ban of smoking in a public place to an enclosed vehicle and any enclosed part of a vehicle must be smoke-free if it is used by members or a section of the public (whether or not for reward or hire); or in the course of paid or voluntary work by more than one person (even if those persons use the vehicle at different times, or only intermittently).

Lifting Equipment

Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) requires passenger lifts to be clearly marked to indicate their safe working loads. Instructions explaining how to use the passenger lift should be attached to the vehicle close to the lift and the notice should be durable and easy to clean, for the safety of passengers in wheelchairs on buses.

School Bus Signs

Road Vehicle Lighting Regulations require all buses carrying children (under 16) to or from school at the start and finish of the day to be fitted with a prescribed sign showing clearly to the front and rear. The size of the sign being displayed at the front of the vehicle must be at least 250mm × 250mm with the black border not more than 20mm wide, and at the rear at least 400mm × 400mm with the black border not more than 30mm wide. Signs should not be displayed at any other time.

Additional Requirements are:

- Some insurance companies stipulate that only MiDAS trained drivers may drive a minibus
- The organisation must have vehicle insurance for all vehicles
- The organisation must have and display a Section 19 or 22 Permit for each minibus in the fleet when they are in operation
- There are restrictions on drivers hours – check MiDAS for details or refer to the Maintaining Occupation Road Risk (MORR) Policy in the

Policy Section of this Operations Manual to get further information on driver hours

- Bus lanes and bus stops may be used if the word 'local' does not appear on the signage indicating their presence
- If recorded music is played on a vehicle or in a building the organisation must have a PRS license
- Lost property should be retained in the organisation's premises for 3 months and a register kept detailing the items found, and including the name of the driver. The operator should keep non-perishable lost property in safe custody for at least one month or until it is returned to its owner or is disposed of. The organisation may need to create a policy for charges for the return should the owner not be able to come in person to the office to collect

Remember:

An explanation of a minibus driver's legal responsibilities should be provided to every driver. A summary is available from CTA and MiDAS.

Recommended Reading:

VOSA's 'Passenger transport provided under Section 19 or Section 22 permits' to get additional information on driver licensing, insurance and MOT's.

Provision of Transport Services

Operators should give consideration to developing guidelines and criteria defining who is eligible for community transport services. The Operations Manager is responsible for ensuring that all vehicles are appropriate for the required task. In assessing the suitability of vehicles, the carrying capacity in terms of passenger seats / wheelchair positions and the efficiency of the vehicle should be considered. In addition an assessment of vehicle utilization should be undertaken.

Each vehicle should be assessed according to:

- The needs of the operator
- The running costs per mile
- The monthly mileage undertaken by each vehicle

The Operations Manager should ensure that the fleet is operated as efficiently and as cost effectively as possible. Vehicle utilization is one of the most important measures of an efficient transport operation, to achieve this careful planning is necessary. The operations manager should keep the use of vehicles under review.

Work schedules should be routinely reviewed, such as:

- Routes for drivers collecting members should be constantly reviewed to ensure that the shortest routes are taken and that there is no duplication of routes carried out by drivers
- Duty rotas are appropriate to the needs of the service being provided by the operator

Section 19 Permit, Section 22 Permit and London Service Permits

An organisation providing 'not for profit' transport for 'hire and reward' in either a minibus (a vehicle capable of carrying 9-16 passengers in addition to the driver) or in a car/multi purpose vehicle (maximum of 8 passengers plus the driver) that it owns/operates, will be required to hold an appropriate operator licence for each vehicle. For most community and voluntary organisations this will be Section 19 standard permits. For more information see 'Passenger Transport provided under Section 19 or Section 22 permits' (PSV 385-01), this is available from VOSA. Section 22 permits are also available, for those organisations that wish to provide 'not for profit' transport services to the general public on a registered bus route. See (PSV 385-01). These permit rules dispense the need for certain operators and drivers to comply with full Public Service Vehicle (PSV) regulations in respect of licensing and drivers.

Who Requires a Bus Permit?

Any non commercial organisation, voluntary group and certain other bodies who wish to charge for providing transport for their own members, or other people whom the organisation serves (without having to comply with the full PSV licensing requirements).

The services provided by the organisation operating the vehicle must not be for the general public and the charges will have to be made on a non-profit making basis.

The organisation must also be concerned with at least one of the following:

- education
- religion
- social welfare
- recreation
- any other activity of benefit to the community

What Vehicles may be Covered by Permits?

Permits may be used for:

- a) Minibuses ("small buses") that can carry 9 to 16 passengers excluding the driver
- b) Cars and mpvs capable of carrying up to a maximum of 8 passengers
- c) Large buses that can carry 17 or more passengers excluding the driver

Can the Organisation Accept Money from the Users for the Service?

If no charge is made for the use of the vehicle at all, no permit is required. However a charge covers more than just the payment of a fare.

Any payment which gives a person a right to be carried on a vehicle (the legal term for this is 'Hire or Reward') would require the operator to hold the appropriate permit, either a section 19 for eligible groups of passengers or a section 22 for a registered service for the general public.

A payment can be made by the person themselves or on their behalf by someone else. The payment may be direct (such as a fare) or indirect (as would be the case for example where a membership subscription to a club or a payment for a hotel room includes the right to use the bus).

The charges that the organisation makes can only be enough to cover the running costs of the vehicle, which can include a sum for depreciation. It is important that any charges made are not enough to make a profit. Full cost recovery (CTA and ACEVO have examples of how this should be calculated) is the maximum charge that can be levied.

General Considerations

- Use must be by the permit holder
- Not to be used to carry the general public
- Not to be used with a view to a profit, nor incidentally to an activity which is itself carried on with a view to a profit
- Subject to any conditions on the permit
- Subject to any relevant regulations
- The permit is not vehicle specific
- The organisation must establish who the operator is, no matter who the owner is
- Group travel umbrella permits
- Brokers must decide whether brokerage or the organisation is operator (Issues of tax, insurance, VAT etc)

Permits and Discs

- The permit is an A4 purple paper document, which includes a tear off section containing the vehicle disc. – keep the permit part safe!
- Disc must be displayed on vehicle when in use
- Replacement permits/discs can be issued when the original is lost/destroyed
- Never write any additional info on the disc or Permit
- The permits/discs are valid for up to a maximum of 5 years
- Unless revoked or surrendered
- Transferable between vehicles
- One permit needed for every vehicle on the road

London Service Permit

Transport for London provides a comprehensive network of local bus services within Greater London, normally through a process of inviting tenders to operate services or by way of 'London Local Service Agreements' (previously known as Section 3(2) Agreements). These services form the 'London bus network.' Local bus services that are not part of the 'London bus network' can only be provided in accordance with a London Service Permit.

A service operating under a London Service Permit is a local service as defined under Section 2 of the Transport Act 1985. Under the London Service Permit, operators are permitted to transport passengers at separate fares for journeys that include a distance of less than 15 miles.

A London Service Permit can be valid for a period of up to five years. A longer period is not permitted under the Greater London Authority Act. At the end of the period a new permit must be applied for three months prior to expiry if the service is to continue.

The requirements for a successful application take account of standards set by national legislation regarding bus operation, the statutory duties and powers of Transport for London and the Transport Strategy of the Mayor of London. Applications should be made to The Licensing Manager of London Buses, using a standard form to be available on request. For more information the London Service Permit, go to the Transport for London Website.

Recommended Reading:

PSV 385 - 01

CTA's Professional Services- Legal Framework Section 19 Permit and Legal Framework Section 22 Community Bus Permits (GB only) to get further information on each permit.

Vehicle Registration Document

Harmonised Registration Certificate - V5C

From 1 July 2005 all existing old-style V5 Registration Documents (formerly known as log books) will no longer be valid. The organisation may well have been issued with a new V5C registration certificate already. The new certificate can be recognised by its prominent blue front page showing the words "Registration Certificate".

The Driver and Vehicle Licensing Agency (DVLA) have been issuing the new V5C Registration Certificate since 1 January 2004. Since June 2004, motorists using the V11 renewal reminder form to re-license or make a Statutory Off Road Notification (SORN) will automatically have been issued with the new certificate. By the end of June 2005 the majority of registered keepers should have received the new certificate, including those who have taxed their vehicle (using the V11 renewal reminder form) or made a SORN, during June 2005.

For more information on the V5C Registration Certificate, visit the DVLA website at www.dvla.gov.uk or contact them on 0870 240 0010.

Anyone registering a vehicle or who needs to change any of the information on a log book will receive a new V5C instead. Every V5C issued is accompanied by a Guidance Notes Booklet, which contains detailed information on how to use the new document.

The following sections detail the procedures to be adopted when using the new Registration Certificate.

Change to Keeper Details

To inform DVLA of any change or correction to the name, address or both, please complete Section 6 with the new details, sign and date the declaration at Section 8 and return the Certificate to the DVLA.

Change to Vehicle Details

To inform DVLA of any change or correction to the vehicle details, the organisation will need to update the registration certificate (V5C) if any changes are made to the vehicle or if any of the detail shown on the registration certificate are incorrect. For a full list of the changes that the DVLA require to be informed about, go to the DVLA for further information.

Selling the Vehicle– Private Sale

When selling the vehicle privately the organisation should complete Sections 6 and 10 of the Certificate with the new keeper's details. Both the seller and the buyer should sign and date the declaration at Section 8.

The new keeper (buyer) should be given Section 10 (V5C/2) only and not any other part of the Certificate. The organisation (the seller) must return Sections

1-8 of the Certificate to DVLA for which it will receive an acknowledgement letter to confirm that it is no longer the registered keeper. If the new keepers details have not been completed the organisation will be issued with a letter asking it for these details.

Selling the Vehicle to Trade

When selling the vehicle to a motor trader (i.e. Motor Dealer/Motor Vehicle Auctioneer/Insurance Company/Scrap-Yard/Dismantler/Finance Company) the organisation must complete Section 9 and sign and date the declaration on that Section. It must ensure that the Trader also signs and dates this declaration. The seller must return the completed Section 9 to the DVLA and give the Trader the remainder of the Certificate.

On receipt of the completed Section 9 the DVLA will issue the organisation with an acknowledgement letter to confirm that it is no longer the registered keeper.

Scrapping the Vehicle

When selling the vehicle to a scrap dealer, please follow the procedures outlined above (Selling the Vehicle to Trade). When scrapping the vehicle personally the organisation must tick Box 17 in Section 6 and enter the Date of Scrapping in Box 18 in Section 6. It must also sign and date the declaration in Section 8 and return the Certificate to the DVLA.

New Keeper Supplement– Section 10 (V5C/2)

Section 10 must be completed if the organisation sells the vehicle privately and should be retained by the new keeper. It can be used to licence the vehicle and is valid for two months. The Section 10 can only be used by the new keeper (whose details should also be entered on the Certificate at Section 6).

Note * Some Memorandum & Articles of Association require donated vehicles to be disposed of to other organisations with a similar core purpose. Some charitable funds have constitutional requirements for asset disposal; therefore the organisation should check the condition of grant before disposing of the vehicle.

Taxation of Vehicles

Vehicle Excise Duty (VED) is an annual tax levied on motor vehicles and the organisation receives a VED disc or tax disc as confirmation of payment. The disc illustrates the registration mark of the vehicle and its expiry date and should be displayed on the left hand side of the vehicle's windscreen. It is an offence under the Vehicle Excise and Registration Act 1994 to use or keep a vehicle on a public road if it has not been licensed (taxed). Vehicles can be taxed in a variety of ways:

- In person at the Post Office
- In person at a local DVLA office
- On line via direct.gov.uk

Statutory Off Road Notification (SORN)

If a vehicle is not being used and is being kept off the public highway then it can be SORN. When a SORN has been declared for a vehicle the registered keeper must ensure that it will not be used or kept on a public road until a new licence has been taken out. The declaration will be valid for 12 months unless the vehicle is re-licensed, sold, permanently exported or scrapped.

To obtain a VED disc for the vehicle the organisation will need:

- An MOT test certificate (for cars or motorcycles from three years old and for minibuses from one year old)
- Insurance (a valid insurance certificate) that covers the organisation against third party claims for death or injury and damage to property caused by using the vehicle
- The appropriate fee for vehicle tax (not needed if the vehicle is exempt from paying vehicle tax)
- The appropriate form from the DVLA, which is one of the following:
 - A 'Vehicle Licence Application/Statutory Off Road Notification' form V11 reminder which is sent out about three weeks before the VED disc expires. The organisation can renew the VED online, by telephone, by post or in person to a local DVLA office.
 - An 'Application for a tax disc' form V10 if the organisation doesn't have a reminder along with the registration certificate (V5C) or New Keeper section.

The VED classes include:

- Private/light goods vehicles: Applies to voluntary organisations running passenger vehicles under Section 19 Standard and Large Bus Permits and under Section 22 Community Bus Permits. However Section 22 Community Buses used on registered routes with a local authority subsidy must be taxed in the Bus class. The DVLA will only issue a PLG VED disc to minibuses not exceeding 3,500kg; they will issue a Bus VED disc to minibuses exceeding 3500kg. A PLG VED will also be issued to private passenger vehicles (cars/taxi's) which do not exceed 3,500kg. (Most goods vehicles with a revenue vehicle weight exceeding 3500kgs will require weight plating and annual testing by the

Department of Transport. The Private/light goods vehicles class also includes motorcycles and tricycles.

- Disabled Passenger Vehicle (DPV) where by a tax disc is issued, but with NIL printed on it. In order to benefit from this taxation class, the vehicle must be dedicated to use for the carriage of people with disabilities.
- Cars registered on or after 1 March 2001 based on CO2 emissions and fuel type.
- Cars registered before 23 March 2006 based on CO2 emissions over 225g/km and fuel type.
- Light goods vehicles registered on or after 1 March 2001.
- Euro 4 light goods vehicles registered between 1 March 2003 and 31 December 2006.
- Euro 5 light goods vehicles registered between 1 January 2009 and 31 December 2010 trade licenses.

**If the organisation changes the taxation class of the vehicle, or buys a used vehicle with a licence that doesn't cover it then it should apply for an exchange vehicle licence using the V70 form.*

Taxing an Unregistered Vehicle

If the organisation buys a new vehicle the dealer will usually apply on its behalf for the first VED disc at the same time as applying for the registration document. The vehicle should be licensed when the organisation takes delivery. If the dealer does not apply on behalf of the organisation, make sure he/she gives the organisation the V55/5 application form to complete.

If the seller does not include a current VED disc with the sale, then the organisation must apply for one using the V10 or the V85 for goods vehicles with a revenue weight over 3,500kgs. In either case make sure that the full name, address and postcode and other details are stated clearly and correctly, as these details will be used to set up the vehicle record and will appear on the registration document.

If the VED disc is lost, stolen, destroyed, mutilated or accidentally defaced, the organisation should apply for a duplicate, for which there is a fee, using form V20 available from most Post Offices and local DVLA offices.

Current VED Fees

A fee is payable on the first registration and licensing of a motor vehicle in the UK. The fee is designed to cover the administration costs associated with registration of the vehicle throughout its life. The fee is applicable to all vehicles except those first registered and licensed in the "Disabled Exempt" taxation class. Leaflet V149 is available from Post Offices and the DVLA local offices, which contains the current rates of Vehicle Excise Duty. VED discs are valid for 12 month periods, but there are six month licenses available for a percentage of the 12 monthly fee.

Note:

Contact CTA Advice Team or DVLA for more advice on the licensing of vehicles (taxation), the “Disabled Exempt” taxation class or other vehicle taxation matters.

Record Keeping

Operators should be left with no doubt of the nature and extent of record keeping that VOSA and the Traffic Commissioners expect to find when records are requested as part of the enforcement process. A comprehensive record keeping system is an essential ingredient for providing regular and accurate management information for the purpose of planning, organising and controlling vehicle operations. It is important that records are kept up to date and examined regularly.

The organisation and management of transport services varies from operator to operator, therefore it is not possible to produce a prescribed schedule of forms to cover every situation. However there are basic essential records, which should be maintained. These forms may be adapted to meet local requirements.

Manual Systems

Operators should ensure they have a competent person who is responsible for scheduling maintenance, insurance, taxation and record keeping. Although systems can be computerized, there are a number of paper records which must be maintained.

A permanent record file should be maintained for each vehicle, this may contain:

- A copy of the requisition of the vehicle/brokerage or leasing agreement
- A vehicle record information sheet containing all relevant information about the vehicle(s)
- Tax Book and Certificates
- Copy of the vehicle registration V5C logbook
- Permits are not vehicle specific and we would recommend they were kept in a separate file to make it easier to maintain audits on them

Other important records which should be included in this file are:

- Safety Inspection Reports (kept for at least 15 months)
- Driver Log Books / Sheets (kept for at least 15 months)
- Vehicle Defect Report Forms (kept for at least 15 months)
- Passenger Lift Servicing (kept for 2 years)
- Analogue tachograph inspection reports (kept for 2 years)
- Analogue tachograph calibration reports (kept for 6 years)
- Digital tachograph calibration reports (kept for 2 years)
- Copies of vehicle maintenance invoices:
 - Repairs
 - Tyres
 - Batteries
- Accident and Incident Report Files
- Information on the date of disposal of vehicle
- Fuel invoices detailing monthly expenditure would be kept by accounts

Computerised Systems

Computer packages can be useful when there are a large number of vehicles in the fleet. The organisation can input the raw data and it will update the records automatically.

Retention of Records

As indicated above.

Replacement Policy and Vehicle Procurement

A planned replacement policy should be in place by each organisation, as this will enable the operators to spread expenditure on new vehicles over a number of years. It will also dictate the appropriate time to dispose of vehicles and allows changes in scheduling and vehicle utilisation to be reflected in a vehicle profile.

A number of factors should be taken into consideration when examining the possibility of replacing a vehicle, such as:

- Reliability of the vehicle
- Running costs in comparison to revenue generated
- Whether it continues to fulfil the needs of the organisation

The replacement policy of an organisation will be dictated by the resources available, however it should be remembered that older vehicles are much more expensive to maintain.

Vehicle Procurement

When a new vehicle is to be purchased, the needs of the members must be taken into consideration. The Board of Directors and Operations Manager should assess the type of vehicle required. A specification of the new vehicle required should be compiled.

Other factors to consider are:

- In consideration of tenders, factors such as after sales service and quality of product/workmanship should be evaluated as well as price
- The purchase of second hand vehicles should be carefully considered and a mechanical inspection report should be obtained on the vehicle before it is purchased
- A funder may require that only a new vehicle can be purchased with their grant
- The Vehicle Purchasing and Leasing Scheme for CTA members, in association with UniLink Finance Ltd and Driver Advantage Ltd. The CTA organises this scheme, for its members, to assist them in increasing leverage on vehicle procurement and to help manage and lower costs within the organisation
- Special discount terms that have been negotiated with key manufacturers exclusively for CTA members through the Vehicle Purchasing and Leasing Scheme

For further details of the Vehicle Purchasing and Leasing Scheme visit the CTA website.

Vehicle Warranties

New vehicles and accessible equipment operated by the organisation are under warranty. It is important to refer to the purchase agreement or leasing agreement to check each item under warranty, the expiry date and nominated

contact for repairs. The Operations Manager should create a policy to always check the warranty for each item before arranging repairs or maintenance work.

Disposal of Vehicles

A vehicle should be withdrawn from service when it becomes uneconomical to operate or if it is surplus to requirements. The decision to withdraw a vehicle should be taken by the Board of Directors and Operations Manager in line with the company policy on disposal or sale of obsolete equipment.

A decision should be made to either:

- Sell the vehicle
- Dispose of the vehicle as scrap

Requirements to sell the vehicle are:

- Company markings should be removed before the vehicle is removed from the fleet
- Section 19 or 22 Permit is removed before the vehicle is removed from the fleet

The DVLA needs notified if the vehicle is sold privately or through a motor trader. If the owner fails to notify the DVLA that the vehicle has been sold then the owner could be held responsible for any future motoring offences committed by the driver of the vehicle. The vehicle registration book should be issued to the new owner.

Disposal of “Scrap” Vehicles

The disposal of all vehicles should be controlled by the Operations Manager. Parts removed from the vehicles and held as spares should be recorded on a register. When these parts are used the date and vehicle to which these are fitted should be recorded. Parts must not be removed for personal use. The shell of the scrapped vehicle must be disposed of in an appropriate manner.

Requirements to scrap the vehicle are:

- Company markings should be removed.
- Section 19 or 22 Permit is removed.
- The Vehicle Excise Duty disc is removed; the organisation can apply to the DVLA for a refund for each full month that is left on the disc.
- It must be taken to an authorised treatment facility (ATF) that will make sure the vehicle is dismantled in an environmentally friendly way, if it needs to be scrapped. If the authorised treatment facility agrees to take the vehicle the owner will receive a Certificate of Destruction (CoD). If the vehicle has been scrapped, the vehicle registration book should also be forwarded to the DVLA.
- The Operations Manager should maintain a file detailing vehicle disposals with the following information:
 - Registration number
 - Make and model
 - Age of vehicle
 - Reason for disposal
 - Name and address of new owner (if appropriate)
 - Copy of indemnity form (where appropriate)

- Copy of disposal form sent to DVLA
- Record of any equipment removed from the vehicle
- Method of disposal
- Date of disposal

Drivers and Driving Licenses

Drivers

Community transport personnel driving vehicles owned by an operator are subject to the same legislation and restrictions as other road users and must obey the Highway Code. Before a person is allowed to drive a community transport vehicle they should complete a MiDAS course. MiDAS is the Minibus Driver Awareness Scheme that is organised by CTA. It is a nationally recognised standard of assessment and training for minibus drivers, designed to enhance minibus driving standards and promote the safer operation of minibuses. There is the MiDAS Car & MPV Scheme that provides an opportunity for community transport drivers operating smaller vehicles and cars to transport passengers in a safe and comfortable way. Details of this assessment should be held on file by the Operations Manager.

The Operations Manager should maintain a register of drivers authorised to drive community transport vehicles; this should also outline each driver's duties and responsibilities within the organisation. Each driver should receive a driver handbook and should be required to sign that they have received a copy.

Driver's Licenses

The register of drivers should detail:

- The type of licence held
- Licence number
- The date of expiry

The Operations Manager should:

- Be aware of the regulations relating to the categories required to drive various sizes of vehicles
- Ensure that all drivers hold the correct type of licence for the vehicle that they are required to drive
- Keep a copy of each drivers licence on file
- Driver's licenses should be checked on an annual basis and this check should be documented

Drivers are responsible for notifying the Operations Manager if they have:

- received penalty points
- been convicted for a road traffic offence
- become aware of any medical condition, which might bring into question their ability to drive safely or have been prescribed any medication which might have a similar affect
- had their driving licence suspended or revoked
- been refused private motor vehicle insurance

If a driver is unable to continue driving for any of the reasons listed above, the Operations Manager should arrange immediately for the person to be removed from operational driving duties.

Fuel

Fuel for Community Transport vehicles may be obtained by a number of methods:

1. Fuel cards
2. Accounts with local garages
3. Usage of fuel pumps of public transport providers or other organisations

Remember:

- Whichever method is used it is important that controls are in place to prevent abuse
- It is the driver's responsibility to ensure that vehicles are re-fuelled at frequent intervals to prevent breakdowns due to lack of fuel and that the appropriate fuel for the vehicle is purchased
- Fuel obtained must be recorded in the vehicles log book
- Fuel accounts should be thoroughly checked by the Operations Manager comparing fuel docketts submitted by drivers together with log book entries to the invoice
- The fuel consumption of each vehicle should be monitored on a monthly basis and any variances highlighted and investigated

Bus Service Operator's Grant (BSOG)

Registered local bus services operated under a PSV Operator's Licence or a Section 22 Community Bus Permit are entitled to a rebate of most of the duty on the fuel that is used. The organisation can claim BSOG only on fuel consumed for registered local bus services or in London the licensed/agreed services.

Operators of Section 19 Permit services can claim BSOG for certain groups of passengers. The operators have to declare whether their services are wholly or mainly for:

- a) People aged 60 or over
- b) Disabled people defined in the Disability Discrimination Act as having "a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities"
- c) People on Income Support
- d) People on Jobseeker's Allowance
- e) People "suffering a degree of social exclusion by virtue of unemployment, poverty or other economic factors, homelessness, geographical remoteness, ill health, or religious or cultural mores"
- f) "Persons who believe that it would be unsafe for them to use any public passenger transport services"
- g) Carers or children under 16 years of age accompanying any of the above

Rates of BSOG

The rates of the grant can change in accordance with the annual government

budget. The Department for Transport will use the operator's consumption figure factored against the total eligible mileage claimed to calculate the exact figure of BSOG for each organisation.

BSOG Claim

The claim process for services operated under Section 19 and 22 permits are different.

Section 19 Services

It will be necessary to keep accurate and verifiable records of the following for each fuel that is used:

- Total mileage for the vehicle(s)
- Total fuel purchased or issued for the vehicle(s)
- Total mileage eligible for BSOG

The organisation will have to convert into kilometres and litres, if necessary. If receipts only outline the cost of the fuel, they are insufficient and it is the driver's responsibility to collate the correct figure in litres.

If the organisation uses more than one type of fuel within the fleet, then it will have to make a separate claim for each fuel type to which a different rate of BSOG applies. The most common example will be a fleet that combines both petrol and diesel vehicles. This will need two claims to be made and two separate sets of records.

Section 22 Services

The yellow BSOG form must be returned to the Department for Transport by 31st August of each respective year. The organisation has to:

- Estimate the mileage (km) the vehicle(s) will cover in the forthcoming year
- Provide an estimate of the total quantity of fuel consumed for the forthcoming year
- Calculate the total running costs of each route, taking account of the total kilometres covered by each route, a breakdown of costs for each quarterly period of the year and the total kilometres expected in that quarter

Recommended Reading:

Contact the CTA Advice Team for additional information on fuel.

Refer to the CTA Advice Teams 'Bus Service Operator's Grant Section 22 Community Buses' and Bus Service Operator's Grant for Section 19 Operators.'

Tyres

Regulations 24-27 of the Road Vehicles (Construction and Use) Regulation 1986 specify exactly what types of tyres can legally be fitted to the organisation's vehicle. The general regulations are reinforced by specific requirements on type of tyres, which are:

- Only pneumatic tyres can be used on buses (including minibuses) and trailers
- Radial and cross-ply tyres cannot be mixed on the same axle
- Radial tyres cannot be fitted on the front axle and cross-ply tyres on the rear axle
- So-called 'temporary use' spare tyres may not be used on a minibus

It is illegal for a vehicle or trailer to have tyres which are:

- Under inflated
- Have less than 1mm tread depth on a continuous which is at least 3/4 of the width of the tyre and which stretches continuously all the way round the outer circumference of the tyre
- The tyres must not have bald patches
- It must not have any ply or cord which are exposed, no bulges or tears caused by structural failure, cuts exceeding 25mm or 10% of the tyre width

The CTA strongly recommends that:

- The organisation consult the vehicles' manufacturer if it wishes to alter from the original specification of tyres
- Change the tyres before they reach the legal limit because the vehicle may no longer be driving safely and the organisation may be breaking the law
- Tyres must only be replaced on a like for like basis
- Choose the tyre most suited to the type of operation
- Inflate to the correct pressure for each loaded axle, as it is important for both safety and durability (lifeline) of the tyre
- The tyres must be checked when the tyre is cold
- Tyre pressures must be checked regularly, about once every two weeks
- Some tyre manufacturers offer a number of additional services to extend the life of a tyre. Consider using the 4 lives of a tyre: Remix, Regroove, Retread and Regroove
- Whether there is front or rear wheel drive, the organisation should use newer tyres for the rear set, for extra safety in unforeseen or difficult situations (emergency braking, tight bends etc) particularly on wet surfaces
- The valve is a very important element, which determines how airtight the tyres/wheel assembly is. Under centrifugal force, when the vehicle is travelling at 60 mph, the force acting on the valve makes it equivalent to a mass of 1.7 kg - nearly 2 bags of sugar. The valve deteriorates with age, therefore it is essential to have the valves replaced every time the tyres are change

- If wheel nuts have been removed from a vehicle for any reason, then they should be re-torqued as soon as possible after the event

Tyre Loads

Vehicles must be fitted with tyres designed to support their maximum axle weights when driven at their maximum permitted speed. A Section 22 Community Bus operates timetabled services, therefore it must be fitted with tyres designed to support up to 110% of its maximum weight when driven at 50mph.

Recommended Reading:

CTA's Professional Services is a web based, fully up-to-date resource that provides expert and authoritative information on the complex problems faced by the voluntary sector and local authorities. There is a low-cost annual subscription charge to access Professional Services.

For additional information regarding tyre regulations please, go to the CTA's Professional Services 'Legal Framework Construction and Use Regulations for Minibuses,' which outlines the general construction and use standards applicable to all vehicles under the Road Vehicles (Construction & Use) Regulation 1986.

Hiring in Private Contractors

In some cases private contractors may be used to support the fleet operation of community transport operators. Operators need to ensure that there are proper management protocols and monitoring arrangements in place relating to the use of contractors. To ensure that services are maintained in the most cost effective way, transport services obtained from contractors should be subject to a process of tender. All contracts should specify the rates charged. A contract may be made between a CT operator and a taxi firm or private coach operator on behalf of a user.

The CT operator must agree a set of terms and conditions with each contractor before any work is taken.

The Agreement should outline:

- Parties involved in the Agreement
- Details of the service including cost
- Quality standards
- Duties and responsibilities of each party
- Legal conditions
- General liability
- Complaints procedure
- Termination conditions

Risk Management

The Operations Manager has a legal responsibility to ensure that health and safety is measured and staff and others are protected from Risk. To fail in this responsibility could lead to prosecution or fines for failure to comply with regulations.

Risk in this context is defined as any event or uncertainty that affects the organisations ability to achieve its objectives. Risk has three aspects, which are:

1. Opportunity – the possibility of positive things not happening
2. Uncertainty – the potential that actual results will not equal anticipated outcomes
3. Hazard – the threat of negative things happening to people or assets

The Health & Safety at Work Order Act (1974) requires an employer to make a suitable and sufficient assessment of the following:

- Risks to the health and safety of employees to which they are exposed whilst at work
- Risks to the health and safety of people not in employment arising out of, or in connection with the conduct of the employer or his/her undertaking

According to the HSE publication: A Guide to H&S at Work for Charity & Voluntary Workers:

“Where an organisation, such as a charity, has at least one paid employee anywhere in their organisation, it is considered to be an ‘employer’ for the purposes of the Health & Safety at Work Order and the regulations made under it.”

The task as an Operations Manager is to manage risk in such a way that it is deemed to be acceptable. Over time, what is considered acceptable or unacceptable will change as technology and working practices improve. Therefore risk management is never finished; everything needs to be kept under review.

Any organisation with five or more employees is required under Health & Safety legislation to have a written Health and Safety Policy and in a recent legal case it was determined that volunteers be included.

Health & Safety law requires employers to ensure (as far as is reasonably practicable) the health safety and welfare of employees at all times. Although the driver is ultimately responsible for how a vehicle is driven on the road the employer can have a significant influence on what the driver does. In fact the HSE now regard travel by road as one of the most hazardous day-to-day activities most people do.

Key Factors in Fleet Risk Management

Policy:

- Review controls
- Communicate risk
- Review Performance

Drivers:

- Assess capability
- Train drivers
- Control individual performance

Accidents:

- Record all incidents
- Measure incident rates
- Analyse causality
- Intervene with prevention strategies

Vehicles:

- Specification
- Suitability for task
- Condition
- Roadworthiness
- Security

The Health & Safety at Work Act (1974) regulations require risk assessments to be carried out by employers. This should include any driving activity on the road. The regulations require the risk assessments to be reviewed periodically to ensure they remain valid.

A Risk Assessment is nothing more than a careful examination of what could cause harm to people, so that an organisation can weigh up whether they have taken enough precautions or should do more to prevent harm. In its simplest form everyone conducts a risk assessment when they cross the road.

Keeping an organisation safe is a continuing exercise. Begin by deciding what the organisation wants to achieve. Follow these steps to review the risks and safeguards in the operations, and where it might benefit from a Safety Improvement Plan.

Steps to follow:

- Know the legal duties
- Prepare a safety policy
- Provide safe methods
- Organise the duties
- Train the staff
- Organise the information
- Train self
- Investigate when things go wrong
- Maintain interest

- Check the performance

Five Steps to Risk Assessment are:

1. Look for the hazards
2. Decide who might be harmed and how
3. Evaluate the risks, and decide whether existing precautions are adequate or whether more should be done
4. Record the findings
5. Review the assessment and revise it if necessary

Recommended Reading:

HSE Publication: The Guide to Workplace Health & Safety

Data and Performance Indicators

Summary of Log Books

Log books should be summarised on a monthly basis. The summary should include the following for each vehicle:

1. Total mileage
2. The number of days the vehicle was in use
3. Average mileage per gallon / litre achieved

Vehicle Operating Costs

The cost of running each vehicle should be calculated quarterly by totalling expenditure on fuel, tyres, maintenance, repairs, accident damage and insurance. Standing costs should be calculated by taking into consideration costs such as garaging, depreciation and administrative costs. A vehicle operating cost statement can be compiled using the above information.

The vehicle operating cost statement can be used:

- For the preparation of detailed budgets
- To compare actual costs with budgeted costs

Variations may then be identified and corrective action taken:

- As a basis for identifying transport costs to users or projects
- To prepare performance indicators

Performance Indicators

It is impossible to provide a definitive list of data that should be collected and collated. Broadly, the organisation will be concerned about vehicle utilisation, journey purpose, classification of passengers and operational efficiency.

A number of suggested performance indicators are outlined below:

- Utilisation Rate
- Patronage
- Mileage
- Booking Summary
- Reason for Travelling
- Age Bands
- Gender
- Disability

Operational Efficiency Indicators:

- Cost per mile of vehicle
- Maintenance cost per mile
- Vehicle miles per litre
- Fuel cost per mile
- Tyre cost per mile
- Cost per passenger
- Accident cost per mile

Insurance

A comprehensive insurance policy is recommended to maximise continuity of the service whatever the circumstances. The CTA can advise the organisation on the need for essential insurances, such as Public Liability and Employer's Liability. It has become apparent that insurance from minibus specialists has become more expensive in recent years, but discounts can be available for those with rigorous safety and training programmes, such as the CTA's MiDAS training. Insurance will not reduce the organisation's risks, but in the event of a specific loss it will receive some financial compensation.

Types of Insurance

What is Employers' Liability Insurance?

Employer's Liability (EL) insurance enables organisations to financially meet the damages and legal fees for employees who are injured or ill through the fault of their own. Employees injured due to an employer's negligence can receive compensation even if the organisation goes into liquidation or receivership. The Health & Safety Executive (HSE) is responsible for enforcing the law on EL Insurance. The organisation can be fined up to £2500 a day if it does not have the necessary employers' insurance. By law it is necessary for the employer to arrange protection for their employees during the course of their employment.

The EL policy must be issued by an authorised insurer, otherwise it is not valid and the organisation is breaking the law. It is important to check that the insurance provider is part of the Association of British Insurers (ABI) by checking the ABI website. The organisation is advised to keep a complete record of the employer's liability insurance.

The EL Insurance Certificate

The employer has to retain their EL certificate for a minimum of 40 years. If the organisation does not display the EL insurance certificate or refuses to make it available to HSE inspectors when they ask, the organisation can be fined up to £1,000.

What is Public Liability Insurance?

Public Liability (PL) Insurance cover should be considered if members of the public, passengers, passenger assistants and others visit the organisation's office. It is insurance for employers in respect of their liability for accidental bodily injury, or damage to the property of third parties, but this does not include employees. The organisation can choose the limit of indemnity required depending on need.

PL Insurance will provide cover if someone is accidentally injured by the organisation or its operation. It will cover damage to third party property while working and should include any legal fees and expenses which result from any claims by a third party. It is important to remember that this insurance only covers third party claims and EL Insurance is required for the organisation's employees. The insurer should be informed what type of business is run and should always be notified if the organisation's

circumstances change, as this may affect the policy.

Examples of Public Liability Insurance

If a potential passenger comes into the office to drop off a membership form to join the organisation, but trips up on a loose bit of flooring in the office. PL Insurance would cover the business if the person claimed for injuries they sustained as a result of the un-maintained floor.

What is a Combined Traders Insurance Policy?

Under the Road Combined Traders Insurance Policy is a specific insurance known as traders combined to provide cover for the main perils of the business. It is insurance which covers a combination of areas of cover under the one policy, such as:

- Office Contents
- Computer equipment
- Employers Liability
- Public/Products Liability

Combined Traders insurance is a policy where individual groups can select the cover that suits their needs from a number of optional sections.

What Type of Motor Insurance Cover do Organisations Need?

Under the Road Traffic Act 1988, it is an offence not to be covered by third party insurance for the use of a motor vehicle on public roads or any other public place. Third party provides insurance for liabilities to passengers getting onto, riding in and getting off a vehicle, as well as other road users and pedestrians.

- Vehicles Operated Under Section 19 and 22 Permits
- Business description: Community Transport
- Driving basis: Any driver aged 25years and over
- Class of use: Social, Domestic, Pleasure and business use.
- Vehicle schedule: List all group vehicles to be covered

Vehicles Operated for Hire & Reward

As above except for Class of use, which will state private and public hire meaning the carriage of passengers for hire & reward.

Insurance Requirements for Drivers

In addition to driver licensing requirements, there may be other limitations set by the insurer, especially in terms of minimum driving experience, an upper or lower age limit, certain medical conditions and drivers who have received certain endorsements. Drivers who fail to declare endorsements, accidents, medical problems, or other material information, when they are applying to drive a minibus are, in effect, making a false declaration for the purpose of obtaining insurance, and are liable to be prosecuted.

A certificate of insurance is required in order to obtain a Vehicle Excise Duty disc for the vehicle and should be produced within seven days on the request

of a police officer. The details of the insurance policy held should be given to another driver if the organisation's vehicle is involved in an accident as soon as possible after the event.

General Notes

- All insurance policies contain conditions, exclusions and some contain warranties (which if they are breached may well void the insurance completely, regardless of whether any loss is caused by the breach)
- It is essential that the organisation is familiar with the obligations imposed on the scheme by the terms of the cover and the limitations of its scope
- It is important that the type of cover is regularly reviewed and that the organisation notifies the insurance company of changes in operation or other facts to ensure the policy covers the organisation for the business in hand
- Keep all details of the insurance cover in a format that will allow a check of the full range of cover at a glance

Recommended Reading:

Refer to the HSE's Employers' Liability (Compulsory Insurance) Act 1969- A guide employers

CTA Insurance offers specialist insurance policies based specifically on CTA Members' requirements. With years of expertise gained in the community transport sector, CTA believes there is only one realistic choice for an organisation's insurance needs, CTA Insurance. For further information, go to the CTA website.

Use of Volunteer Car Drivers

Voluntary drivers may be used where this would be more cost effective and more efficient than using an employed driver.

Any recruitment process should take the form of:

- An interview
- A driving assessment
- Checks should be carried out in relation to successful candidates. A number of suggested checks are outlined below:
- Examination of the candidate's driving licence and counterpart to confirm endorsement status.

Ask to see:

- Their insurance certificate to confirm that insurance cover is appropriate
- Their MoT certificate
- The Vehicle Excise Duty disc for its expiry date and take note of it
- Confirm that their car is suitable for the purpose
- Carry out a basic medical check
- A Criminal Records Bureau (CRB) check, if the person will have access to either children or vulnerable adults

A list of voluntary drivers should be maintained by the Operations Manager of the organisation. The use of voluntary drivers should be strictly controlled and monitored and all claims should be checked and authorised prior to payment.

Vehicle Brokerage

Brokerage can encompass all forms of vehicle sharing with other not-for-profit organisations. In its purest form, however, it consists of a central organisation (which may not directly operate vehicles itself), which manages a number of vehicles belonging to voluntary and even statutory organisations. The responsibilities of the broker can range from just taking bookings to complete vehicle management.

Types of Brokerage

This includes:

- Vehicle procurement & management – where a community transport (CT) operator takes on the purchase and the management of a vehicle on behalf of another group
- Vehicle management – where a CT operator takes on the management of a vehicle on behalf of another group

If an operator is to act as a broker, it is important that a mutually suitable agreement is negotiated between the two parties.

The Agreement should outline:

- Parties involved in the Agreement
- Details of the brokerage arrangement
- Conditions of usage of the vehicle
- Tariff and costs
- Duties and responsibilities of each party
- Legal conditions and liability
- Duration of Agreement

Note:

Refer to the CTA's Minibus Brokerage- Making it happens, which details what brokerage is, the benefits of sharing and brokerage, vehicle sharing models and the legal implications, minibus management, the barriers and how to overcome them.