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**Derbyshire County Council**  
**Economy, Transport & Environment; Adult Care; and Children &  
Young Adults departments**

**Passenger Transport Guidelines for Passengers with  
Additional Needs**

**Approval and Authorisation**

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## Introduction

Derbyshire County Council (DCC) provides transport for eligible children, young people, adults with disabilities, elderly people, and community groups.

This guidance has been designed to offer information for Derbyshire County Council Managers; Drivers who undertake driving of Passenger Carrying Vehicles (PCV D or D1 licence holders) and MPV's; and Passenger Assistants who support clients during transportation.

This includes those staff members employed as Driver/Caretakers as well as those who undertake driving or passenger assistance as part of their overall role.

This guidance will:

- act as a 'good practice' reference manual
- explain the role and responsibilities of transport staff
- offer guidance on the recommended use of specialist equipment
- apply to all working environments within the County Council i.e. between home and school/venue, or Adult Care establishment
- detail what is expected from you over and above any statutory requirements.

It is not intended to replace practical training and instruction. Not all aspects of transport operations and health and safety are included and where there is reference to policy and procedure, please refer to your line manager for further information.

The guidance is recommended as good practice to those schools/CAYA settings who transport young people with special needs in their own minibuses', other schools should continue to use the minibus regulations as their guide.

The Council believes that where possible people must be encouraged to develop independent travel habits using public transport. However due to the geographic spread and location of schools, venues and day services establishments, transport arrangements have to be flexible and built around the individual requirements of the client.

In order to achieve this personalised and flexible approach, the local authority works in partnership with transport providers; parents and carers; schools/venues; day establishments; and clients to provide a quality service.

DCC establishments and their transport staff contribute significantly towards this quality service by transporting clients for various journey types.

Please read this guidance to help you continue and improve on delivering a caring, safe, and efficient operation to people requiring access to essential services. A summary of driver and vehicle guidelines is attached as Appendix 1.

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## 1. Conduct of Drivers and Passenger Assistants

Drivers and passenger assistants have a duty of care for their passengers, themselves, and each other. This is set out under the '[Health and Safety at Work etc Act 1974](#)'. The safety of passengers must at all times be paramount.

The driver is ultimately responsible for the safety of the passengers and the vehicle, and the timely operation of the service.

Drivers and passenger assistants must make themselves aware of the individual requirements of the clients that they are transporting. The Transport Teams in Economy, Transport and Environment, or Unit Managers/Head Teachers at venues or establishments, must ensure that the relevant information from risk assessments is available and is provided in line with confidentiality and data protection considerations.

All clients must be treated with respect and in a dignified manner with due regard given to any special requirements. Clients with special needs may have limited independence and mobility and it is the responsibility of drivers and passenger assistants to encourage and promote that independence wherever possible within the constraints of operating the journey safely and punctually.

Drivers and passenger assistant must have a good understanding of English and able to communicate well with clients.

### **Mandatory Requirements**

Drivers and passenger assistants are only permitted to work on DCC services and contracts after receiving Disclosure and Barring Service (DBS) criminal background checks at enhanced disclosure level.

Drivers and passenger assistants must have received the necessary training for the work undertaken; this includes driver training (such as wheelchair safety systems); tail lift training; moving and handling; and first aid.

If relevant to the client base, drivers and passenger assistants must also have completed training in areas such as disability awareness, customer care and challenging behaviour.

All drivers must have passed an independent driving assessment and be in possession of a DCC Minibus Drivers Permit (issued by County Transport). The permit must be current and kept with the driver at all times.

Professional drivers of passenger carrying vehicles (PCVs) who hold a D licence are also required to undergo regular medical checks from the age of 45 years onwards.

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If you drive for DCC, you must notify your line manager and DVLA immediately if you develop a health problem which affects your ability to drive safely.

In addition, on an annual basis, line managers/head teachers must inspect and check the original licence/photocard of all drivers and complete a 'Driver Licence Check Form' (found on Dnet or Schools ExtraNet). Line managers must also check the medical conditions of each driver as part of this annual check, and sign a declaration on the form to evidence it has been done.

Any queries with regard to driving licences should be raised with County Transport.

It is illegal to drive whilst under the influence of drugs or medicines. When taking prescribed medicines, drivers must inform their employers and also check with their doctor and/or DVLA that they are safe to drive. Even simple pain killers can slow reactions down so as a general rule if you feel unfit to drive a vehicle then you must not so do.

Drivers and passenger assistants must not drink alcohol whilst on duty. Drivers must not drive any vehicle whilst under the influence of alcohol. As a minimum: driving the morning after; 1 unit takes 1 hour to leave your body or 1 pint of 5% strength beer takes about 3 hours.

Drivers and passenger assistants must wear high visibility jackets or vests in poor visibility (i.e. low light, hours of darkness or where visibility is otherwise reduced); and appropriate footwear.

All DCC drivers and passenger assistants must wear a current ID badge at all times displaying a recent photograph and name.

### **Driver Responsibilities**

The driver holds legal responsibility for the condition of the vehicle when in use on the highway and s/he must report any defects or symptoms of defects that could prevent the safe and road worthy operation of vehicles.

It is the responsibility of the driver to ensure that vehicles are only used which are suitable for the service. This means that the vehicle has the minimum seating capacity and it complies with all the required specification features for authorised clients, i.e. tail lift, pull down step, etc.

It is the responsibility of the driver to ensure that all doors are unlocked when carrying clients – this is a legal requirement.

As part of the preventative maintenance, drivers are required to perform daily and weekly checks on each vehicle prior to it being taken out. These checks must be carried out in accordance with the Derbyshire County Council 'Defect Book' as issued by County Transport. Refresher training on how to carry out these checks is available from County Transport.

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Prior to starting every journey it is important that all the checks are completed and recorded in the defect book. This defect book must then be checked and authorised by the appropriate manager, at least on a weekly basis.

Drivers must also carry out inspections of the Unwin's Easi-lok seat system and all wheelchair restraint systems (including equipment) on a weekly basis as part of the pre-drive checks, to ensure it is in good working order.

Any item that appears defective or in need of attention must be noted as a defect in the defect book, and reported **immediately** to the appropriate manager. The driver must not drive the vehicle until defects have been investigated and rectified where necessary.

All vehicles must carry first aid equipment and a suitable fire extinguisher which is in date and has an annual inspection. Drivers and passenger assistants must be aware of the location of such emergency equipment, and be trained in the correct use of it.

A suitable first aid kit is an emergency requirement on all passenger carrying vehicles and if any item is used, it must be replenished immediately and the incident reported.

On the driver's log or work sheet, the start mileage must be recorded along with the date, and details about pick up addresses and numbers of passengers carried.

All mileage must be authorised and for DCC purposes only. It may result in disciplinary action if excessive/unauthorised mileage and/or inappropriate or personal use of the vehicle is undertaken.

After completing all scheduled work, the finished mileage must be recorded on the log sheet ensuring the mileage runs in sequence and that there are no gaps. The number of passengers transported must be recorded, along with other relevant information (e.g. if the passenger lift was used, number of wheelchair clients, fuel purchased).

The vehicle must be parked safely and considerately in the designated parking place. The driver must ensure that the handbrake is engaged; the vehicle left in gear when parked on a slope; check all switches are left in the "off" position; check all vehicle windows, doors and roof vents are properly closed and locked; turn off the heating system; remove any litter from the vehicle, and check and report any lost property.

Finally, the driver must walk around the vehicle and inspect the external condition, noting any damage on the log sheet and reporting to the appropriate manager. All damage, even of a minor nature (e.g. broken mirror) must be reported as soon as possible.

After leaving the locked vehicle, the driver must return the log sheet, keys, and any other paperwork (e.g. fuel receipts) into a secure locker/key safe.

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## 2. Client Welfare

Before commencing to drive, the driver must be familiar with the route and pick up locations of all clients. Drivers must ensure that only authorised passengers are transported in their vehicles, on authorised routes.

Unless agreed with the Council, passenger assistants must join the vehicle prior to the first authorised pick up and remain with the vehicle until the last client has been dropped off.

Where possible, passenger assistants must sit in a position on the vehicle where they are able to see and reach all clients safely and quickly. They must be in a position to assist all clients and ensure they get out of the vehicle safely and do not step out into a road.

If the client has to remain in their wheelchair whilst being transported, the driver is responsible for the safe loading of the client in his/her wheelchair onto the tail lift and into the vehicle, taking into account any instructions in the risk assessment.

**Tail lifts must only be operated by the driver and s/he must have completed recognised training for this (this is available from County Transport, Economy, Transport and Environment Department).** Drivers must be fully familiar with the guidance at Appendix 3 'Procedure for the Safe Use of Tail Lifts'. Drivers must report any obvious visible defect in lifting equipment and its attachments (i.e. control boxes) to their manager immediately.

**In addition it is the sole responsibility of the driver to ensure that the separate occupant restraint systems are correctly fitted to the passenger and to the wheelchair tie downs.**

Use of safety systems must always be in accordance with manufacturer's recommendations, e.g. Unwin's. Drivers must report any obvious visible defects in the wheelchair restraint systems to their manager.

Where a client is able to transfer out of their wheelchair and sit in an ordinary seat, the wheelchair must be folded and stored securely e.g. onto the tracking at the side of the vehicle, or in a designated luggage facility, preferably with a strap.

It is the Council's responsibility to ensure that staff are suitably trained in the safe use of passenger lifts and ramps and the correct use of wheelchair tie-downs and passenger safety belts. If you have not received this training you must not transport clients in wheelchair.

It is the responsibility of the passenger assistant to ensure that all clients are safely transported and individual requirements attended to as appropriate during the journey. The passenger assistant must alert the driver if a client experiences any medical problems, or demonstrates behaviour that is threatening the safety of themselves or other clients.

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The passenger assistant must work in partnership with the driver before each journey and the division of duties must be agreed, preferably with a manager. For example it is the responsibility of the passenger assistant to remain with clients on the vehicle whilst the driver leaves the vehicle to collect other clients from their homes. However on occasions it might be more appropriate for the passenger assistant to fetch certain clients if they have specific requirements such as challenging behaviour. This division of duties is critical to the safety of all passengers, and a transport plan must be part of the overall risk assessment for each client. At no time must the vehicle and clients be left unsupervised unless this has been approved in the risk assessment and agreed with staff and management.

Drivers and passenger assistants must not smoke, eat or drink at any time during the collection of clients, this also extends to venues and establishments unless you have permission from your manager to do so (i.e. if the establishment is your usual work place).

### **Communicating with Clients**

Good lines of communication must be established and maintained between drivers/passenger assistants, clients, carer's, and service providers.

Some clients will have difficulty in communicating effectively or understanding and the passenger assistant will have to establish suitable ways of engaging with them. Advice should be sought from the line manager or head teacher.

When communicating with clients, drivers and passenger assistants must ensure that the content is appropriate, without inappropriate or suggestive language or sexual content. Strong, abusive or threatening language must never be used in the presence of clients, their parents/carers and other members of staff.

Drivers and passenger assistants must not maintain any contact with any clients outside of work and/or the transport service, or seek any personal details (this includes participating on social media sites). They must however behave in an appropriate manner and be friendly and professional.

They must not give gifts of any kind to clients, especially children and younger adults. All gifts received from clients to staff members must be reported to managers and be in line with the [Code of Conduct](#).

### **Challenging Behaviour**

Clients may occasionally present challenging behaviour which may cause injury to themselves, other clients, staff or the vehicle. If you are coming into contact with clients demonstrating or likely to demonstrate challenging behavior, it is mandatory that you receive adequate training.

Understanding why someone is behaving in a challenging way is very important. If you are faced with such a situation, consider the likely outcome.

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Challenging behaviour may appear to occur out of the blue, but most people show signs they're becoming agitated or distressed before the behaviour that challenges. Learning how to recognise these 'trigger' signs may enable you to be able to defuse a situation before it develops. There should be a Behaviour Plan (or equivalent) in place and the drivers and passengers assistants should be aware of this and the appropriate action to take, including Proact-SCIPrUK training where necessary.

Any member of staff who feels they have been threatened by physical, verbal, sexual or racial abuse must report all incidents to their line manager and complete a [DCC Assault Form](#). Where the assault is carried out by someone with a mental health condition, their needs will be re-assessed.

### **Mobile Communication**

Drivers and passenger assistants must carry a means of communication such as a mobile phone to enable contact with parents/carers, establishments, and managers. Passenger assistants must not use their mobile phones during duty unless it is required as part of their work.

Talking on a mobile phone while driving affects your concentration and ability to react to dangerous situations. It is a disciplinary offence within DCC to use a handheld mobile phone whilst driving, and is also a specific road traffic offence since December 2003. Conviction will result in points on your licence and a fixed penalty fine. For more information see here on dnet:

[http://dnet/working\\_for\\_us/your\\_wellbeing/environmental\\_services/health\\_safety/bulletins/default.asp](http://dnet/working_for_us/your_wellbeing/environmental_services/health_safety/bulletins/default.asp)

The changes to [section 26 of the Road Safety Act 2006](#) will also apply to the penalties for not having proper control of a vehicle - a measure which can also be used where a driver has been distracted by using a hands-free mobile phone. Additionally, if an employee drives an 'O' licensed DCC vehicle and is caught using a handheld mobile phone, the Traffic Commissioner can remove the operating licence from the individual or even from DCC.

The use of a hand held phone is only legal when driving if you need to make a genuine emergency 999 call, and it is unsafe for the driver to stop the vehicle. Although using a hands-free phone is not illegal, research has shown that talking on the phone, whether it is hand-held or hands-free, makes drivers four times more likely to have an accident. The Council therefore discourages the installation of hands-free kits in Council vehicles unless it can be operationally justified by a risk assessment that is then approved by Departmental Management Team. The Council also discourages the use of hands-free kits in private vehicles used on Council business. Switch the phone off when you are driving, let a colleague use it, or pull over to a safe place and stop the vehicle before using it.

### **Collection and return of Clients**

Clients must be collected from home (unless they are in respite or alternative care arrangements), and must be returned to the same point. No alternative

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arrangements must be made between the client and the driver and/or passenger assistant without the prior consent of the appropriate manager.

Upon collection clients will come to the vehicle with or without assistance from their parents or carers, or the passenger assistant. Drivers must ensure that they get onto the vehicle safely and fasten the three point seat belt provided. Each passenger must have a separate seat with a seat belt and under no circumstances must they travel without a belt unless they have a current medical exemption certificate (a copy must be carried in the lockable glove box for inspection if requested by a police officer). If a client refuses to wear a belt or an appropriate restraint, we must refuse to transport them at the start of the journey. If a client unfastens the belt or restraint whilst travelling, the driver must pull over when it is safe to do so and terminate the journey until the belt has been re-applied. Such incidents must be reported to the appropriate manager or head teacher.

When arriving at the establishment or centre, the client and any personal belongings must be handed over to the centre staff. Do not leave clients unattended in either the vehicle or the centre.

On the return journey, clients must be returned to the home or agreed point. Do not leave them at any other location without prior instruction from the appropriate manager. If the client is being returned to their home, ensure that they get off the bus safely (preferably onto a pavement) and assist them into their house, or watch them safely enter their home if they decline assistance. Under no circumstances must a vulnerable child or young person be left on their own, or in the care of a minor.

If the client cannot gain access to their home, or you have any safeguarding concerns, contact your manager for further advice.

If the manager is not available or it is out of office hours, then ring 'Call Derbyshire' on 08 456 058 058 to notify the duty officers.

The driver must not make any changes to the route, timetable or times unless this has been agreed with the manager and parents/carers have been informed. The exceptions to this are when there are unforeseen delays caused by road closures, accidents, weather conditions, diversions, and so on.

## **Social Media**

The use of information on social media web sites is enforced in law including the [Human Rights Act 1998](#), (which gives a '*right to respect for private and family life, home and correspondence*'); [the Regulation of Investigatory Powers Act 2000](#); and [the Data Protection Act 1988](#).

The Council has an Internet and Acceptable Use Policy on Dnet which can be found at:

[http://dnet/policies\\_and\\_procedures/keeping\\_information\\_safe/Internet/default.asp](http://dnet/policies_and_procedures/keeping_information_safe/Internet/default.asp)

If you do not have access to the Internet in your work setting, ask your line manager or head teacher to print the guidance off for you.

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## **Food**

Passenger Assistants and Drivers must not offer sweets or gifts as a reward for good behaviour on transport. This is inappropriate, and there is also the danger of inadvertently causing an allergic reaction to a food substance or additive. Similarly clients must not be allowed to consume their own food or drinks whilst being transported.

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### 3. Policies and Procedures

#### **Safeguarding Procedure**

Refer to Appendix 2 'Safeguarding/Child Protection Policy Statement'.

#### **Confidentiality**

Derbyshire County Council has a responsibility to ensure that drivers and passenger assistants are aware that they are in a position of trust regarding the clients in their care, and that all clients must be treated with respect and dignity. In the course of their duties drivers and passenger assistants may become aware of information of a personal nature relating to clients. It is their responsibility to protect this information securely and ensure that it is not divulged to others who are not entitled to receive it.

All sensitive data is protected by the authority's Safe Haven Policy which can be found on Dnet at:

[http://dnet/policies\\_and\\_procedures/keeping\\_information\\_safe/default.asp](http://dnet/policies_and_procedures/keeping_information_safe/default.asp)

If you do not have access to Dnet in your work setting, ask your line manager or head teacher to print the guidance off for you.

#### **Procedure for Safe Use of Tail Lifts**

Refer to Appendix 3 'Procedure for Safe Use of Tail Lifts'.

This Procedure must be read in conjunction with the '*Guidance on the Safe Use of Wheelchairs and Vehicle-mounted Passenger Lifts*' issued by the Medical Devices Agency DB2003 (03) March 2003. The link to this guidance is as follows:

<http://www.mhra.gov.uk/home/groups/dts-pcc/documents/publication/con007320.pdf>

If you do not have access to the Internet in your work setting, ask your line manager or head teacher to print the guidance off for you.

#### **Use of Tail Lift Equipment**

##### [Lifting Operations & Lifting Equipment Regulations 1998 \(LOLER\)](#)

The responsible officer (such as the Unit Manager) must ensure that arrangements are made to carry out a statutory inspection and examination of all lifting equipment that carries people, every six months. There is a legal requirement to ensure that reports of the examination are kept for at least two years.

#### **Seat belts and the Law**

A client's GP may say they don't have to wear a seat belt for a medical reason. If this is the case, they will be given 'Certificate of Exemption from Compulsory Seat Belt Wearing'. You must only exempt clients from wearing a seat belt if they have a

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current certificate. A copy must be carried on the vehicle when transporting the client to show it to the police if you're stopped.

The following table is an extract from the Department for Transport website. Please note: where the clients have learning disabilities, transport risk assessments will need to be completed by the relevant manager.

<b>Person</b>	<b>Front seat</b>	<b>Back seat</b>	<b>Who is responsible</b>
Driver	Seat belt must be worn if fitted		Driver
Child up to three years of age	Correct child restraint must be used	The correct child restraint must be used. If one is not available in a licensed taxi/private hire vehicle, the child may travel unrestrained.	Driver
Child from third birthday up to 135cms in height (approx 4'5") or 12th birthday, whichever is reached first	Correct child restraint must be used	Where seat belts are fitted, the correct child restraint must be used. The child must use an adult belt in the back seat if the correct child restraint is not available either: - In a licensed taxi or private hire vehicle. - For a short distance in an unexpected necessity. - If two occupied child restraints prevent fitting of a third. A child three years and over may travel unrestrained in the back seat of a vehicle if seat belts are not fitted	Driver

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		in the rear.	
Child 12 or 13, or over 135 cms (approx 4' 5") in height	Seat belt must be used if fitted	Seat belt must be used if fitted	Driver
Passengers aged 14 years and over	Seat belt must be worn if fitted	Seat belt must be worn if fitted	Passenger

### **Lap Belts in Wheelchairs**

DCC policy is that lap belts and/or integral harnesses are compulsory for all clients who are transported in wheelchairs. This policy is in line with guidance from NHS Wheelchair Services.

This policy includes those who use a wheelchair to be moved between home and vehicle and/or between vehicle and establishment attended; those who may transfer to the vehicle seat, as well as those who need to travel in their wheelchair.

### **Drivers Hours**

As our operations are classed as non-commercial i.e. non-profit making, if you drive a passenger-carrying vehicle within Great Britain you must comply with the GB Domestic Rules on drivers' hours.

Refer to Appendix 4 'GB Domestic Rules'.

EU Drivers Hours may apply if you wish to drive other commercial vehicles outside of your work with Derbyshire County Council so you must make a written request to your manager who will in turn seek authorisation for secondary employment.

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## 4. Health and Safety

### Hazards

Safety is the first priority when transporting any client. Before collecting a client for the first time, the personal risk assessment (or the relevant extract concerning transportation and mobility requirements) must be read from the Case Management System (Formerly Frameworki) or provided by the appropriate manager. The intention is to provide as much relevant information about the client and their needs as is required for the purposes of access from/to their home and during transportation on the vehicle. The client and/or their parents/carers will have been informed of new travel arrangements and it is preferable for the driver and if applicable, the passenger assistant to arrange a visit to the clients home to introduce themselves and ascertain any access issues around the property.

The risk assessment must cover transport to/from home to vehicle and to/from establishment to vehicle, including handover arrangements, as well as transportation and security of the client on the vehicle. Where moving and handling of the client is a risk, a full moving and handling assessment must be carried out following Derbyshire Inter-Agency Group (DIAG) principles.

Drivers and passenger assistants must be fully-trained in the use of any ancillary equipment fitted or in use in vehicles such as: tail lifts (including emergency manual pumping override if power failure); wheelchair and passenger safety restraint systems, and car seats.

Drivers and passenger assistants must also be trained in basic fire safety techniques and be familiar with how to use the on-board fire extinguisher and the first aid kit.

In addition drivers and passenger assistants must be familiar with other safety equipment that may be transported if previously agreed by the appropriate manager, such as oxygen cylinders.

Examples of hazards associated with transport include:

- Manual handling
- Slips, trips and falls:
  - of clients when getting on or off the vehicle
  - of staff if a client topples over onto them
- Instability of old/damaged wheelchairs
- Persons falling out of wheelchairs (not wearing lap belt or harness as required)
- Injury from incorrectly fitted equipment or incorrect securing of wheelchair
- Inappropriate operation of electric wheelchairs
- Crush injuries
- Entrapment injuries

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- Challenging behaviour affecting other clients or staff.  
This list is not exhaustive and may include other hazards not listed here.

## **Risk Assessment**

The aim is to ensure the health, safety and comfort of all clients and staff whilst being transported. Thinking about what accidents might happen, and then taking steps to reduce and if possible eliminate them is a healthy approach to achieving high safety levels.

With regard to clients, risk assessments will have been completed and are available on the Case Management System (formerly Frameworki) and the relevant aspects must be shared with drivers and passenger assistants.

If the driver or passenger assistant has any concerns about the condition of a client's wheelchair then they must report this to the appropriate manager who will make contact with NHS Wheelchair Services if they are known to them.

Any risk assessments must always be kept up-to-date, including reviews that take place as client requirements may change over time.

If new vehicles, equipment or working practices are introduced, risk assessments may require updating and further training provided. Refresher training in securing wheelchairs, manual handling, and first aid must be kept up to date.

Every DCC site and third party venue is different and likely to present hazards and risks that are not detailed here. It is a legal requirement that risk assessments consider all foreseeable risks, not only the ones described here.

## **Carrying Medicines**

Some clients may need to transport medication on their journey to their establishment. Medication must not be transported in anything other than the original containers filled by a pharmacist and where possible kept in the custody of the client.

Drivers and passenger assistants are not permitted to administer medication to clients.

## **Adverse Weather**

The Council has published an Adverse Weather Policy which is detailed on Dnet and at:

[http://dnet/policies\\_and\\_procedures/human\\_resources/adverse\\_weather/default.asp](http://dnet/policies_and_procedures/human_resources/adverse_weather/default.asp)

If you do not have access to Dnet in your work setting, ask your line manager or head teacher to print the guidance off for you.

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## Transporting Oxygen

If there is a client who requires oxygen cylinders to be transported, in the first instance the Centre Manager must check with the oxygen supplier to refer to their safety advice. This may require the displaying of a warning sticker in the offside rear window of the vehicle, (such stickers will be supplied by the company). In addition, the Centre Manager must also notify the Council's Insurance Section.

The following general principles also must be applied:

- Secure the oxygen cylinders properly so that they cannot move in transit (some cylinders may be transported horizontally or vertically; check with the supplier)\*
- Check cylinders for obvious signs of leakage i.e. hissing sounds
- Keep cylinders out of direct sunlight
- Do not expose cylinders to high temperatures
- Do not transport cylinders in front passenger seats
- Do not smoke whilst carrying or using oxygen
- Do not store cylinders in a vehicle after the journey.

\*Guidance from DfT Dangerous Goods Guidance Note 9.

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## 5. Breakdowns and Accidents

In the event of a mechanical breakdown, the first priority is to secure the safety of the vehicle and any passengers. Switch on the hazard warning lights and apply the parking brake. Reassure passengers that the situation will soon be under control and ask them to stay in their seats. The driver must make contact as soon as it is safe to do so to their manager or the nearest DCC workshop, informing them of the nature of the breakdown and the location of the vehicle. The driver must give details about how many clients are on board and the nature of their disabilities if relevant.

### Accident & Incident Reporting

If an accident does occur consider the following:

- Is urgent medical attention required?
- Is first-aid required?
- Is action required to prevent further injury?
- Do the emergency services need to be informed?

Where possible the vehicle must be safely moved off the carriageway. If this is not possible and an obstruction is being caused to other road users, hazard warning lights and warning triangle must be used. Ensure that passengers are kept safe and secure and move uninjured people away from the vehicle to safety. On a motorway this must, if possible, be well away from the traffic and the central reserve (i.e. the hard shoulder or embankment).

Once the passengers and vehicle are safe, the appropriate manager must then be informed.

Any accident involving transport must be recorded using a [DCC Accident Report Form](#). One copy must be kept by the establishment, one copy sent as soon as possible to the Department's Health and Safety Section, and one copy sent to the Transport Section in Economy, Transport and Environment Department.

If appropriate, the manager, advised and supported by the Health & Safety Section, shall carry out an investigation and recommend any remedial action that must be taken to prevent a similar incident recurring.

### Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

All accidents, incidents, significant near misses, and assaults (verbal or physical) must be reported to your manager or head teacher without delay.

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## **Appendix 1. Summary of Guidelines**

### **Driving Vehicle**

- All drivers have a category D or D1 driving licence
- Licence renewal at 45 years and every 5 years thereafter with medical
- Driver to complete vehicle defect book before each shift as provided by County Transport and ensure it is signed by Supervisor each week
- Driver to check Unwin's Easilok System, wheelchair restraint systems, and seat belts as and when used
- County Transport to carry out thorough inspection of Unwin's Easilok Systems during MOT's and safety inspections
- Carry out weekly inspection of Unwin's Easilok System and seat belts as part of pre-drive checks
- Ensure windows and mirrors are clear and working before driving
- Clients to wear seat belts at all times unless they provide a current medical exemption certificate. The certificate must be issued annually
- Drivers to wear seat belts at all times
- Mobile phones not to be used whilst driving (including hands free/Bluetooth). If you have to make or receive a call or send/receive a text message, you must park up in a safe place
- Driver not to exceed Domestic Drivers Hours Regulations
- Vehicle engine to be switched off and keys removed when bus unattended
- Vehicle to be left in gear when parked on slopes.

### **Snow/Ice**

- Driver should be aware of local weather forecasts for each day
- Supervisor to consult day centre to find out if it will open or not
- If conditions deteriorate during the day and the driver has to return clients to their homes, driver has to assess local situation and seek assistance as necessary, preferably dealing directly with the Unit Manager
- Supervisor to provide ice cleats in each bus. Driver to wear ice cleats in snow/ice conditions
- Unit Managers to liaise with transport providers and drivers directly in severe weather conditions.

### **Reversing on Narrow Estate Roads**

- Use mirrors and reversing aids including reversing alarm
- New vehicles will be fitted with reversing cameras.

### **Familiarity with Route**

- Drivers unfamiliar with routes or have no local knowledge should consult other drivers beforehand, read maps or use sat-nav device.

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### **Assisting Client to/from Vehicle**

- Wear high visibility jacket/tabard in low light/hours of darkness or where visibility otherwise reduced
- Wear DCC issue safety footwear and keep tread clear of mud/debris
- Report defective/excessively worn safety footwear to Manager for replacement
- Consult the Client Transport Risk Assessment before transporting clients for the first time and ensure you review it to cover any changes in their needs. Additional information is available through the Case Management System (formerly Frameworki) and X79 form
- Park the vehicle as close to clients' home as practical.

### **Manual Handling**

- Drivers are provided with manual handling training and refresher training
- Use the tail lift to load/unload wheelchair clients
- The vehicle is fitted with drop down step to assist clients with reduced mobility
- The vehicle is fitted with tactile markings for visually impaired clients
- Use the Easilok seats for securing wheelchair clients unless there has been a risk assessment and it is not possible to do this safely.

### **Challenging/Unpredictable Clients**

- Drivers to be made aware of any specific issues from Adult Care and CAYA
- Drivers to be given Dementia Awareness Training and Challenging Behaviour Training (for clients with learning disabilities) when assisting such clients
- Specific clients may need to be transported/assisted with a Passenger Assistant
- The vehicle engine is to be switched off and keys removed to prevent unauthorised use of the vehicle. Passengers with dementia/mental health issues which could result in unpredictable behaviour are not to be left unattended in the vehicle.

### **Use of Tail Lift for Wheelchair Client**

- Tail lifts must be weight tested and certified every 6 months by County Transport
- Drivers are to be given familiarisation training before first use and subsequent refresher training
- The tail lift safe working load (SWL) is 350kg/55st.
- Drivers are to ensure brakes are applied to wheelchairs/powering chairs before operating tail lift

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- Drivers are to stand at rear of tail lift when clients are going up and down on it. Clients that are able to stand but use the tail lift are to be supported whilst lift is in operation – stand behind the client
- Do not get on or off the tail lift unless it is at the top or bottom – do not jump/take big steps on or off the lift.

### **Potholes and Trip Hazards on Access Roads and Footways on Highway Network, at Day Centres or Clients Home**

- Drivers to report defects to their manager who will in turn report defects to relevant day centre or care worker or highways staff etc.

### **Cold/Wet Weather**

- Drivers are issued with waterproof high visibility coats.

### **Cleaning of the Vehicle**

- The external cleaning of vehicles is done in-house using substances provided by County Transport
- Use only products that leave a non-slip residue on floors
- Follow instructions for use and First Aid requirements in case of accident.

### **Fire on the Vehicle**

- No one is permitted to smoke on the vehicle
- The vehicle is equipped with a fire extinguisher that is maintained annually
- Drivers to attend fire training.

### **Accidents to Clients**

- Drivers have a valid First Aid at Work certificated
- Vehicle fitted with a First Aid kit and maintained by the driver
- Driver to contact emergency services as necessary by use of DCC mobile phone
- Driver to notify line manager of all accidents/incidents/near misses without delay.

### **Vehicle Breakdown**

- Driver provided with DCC mobile phone to contact County Transport who will in turn attend the breakdown (if within Derbyshire) or contact a Breakdown and Recovery Service if out of Derbyshire.

### **Tail Lift Breakdown**

- In the event of a tail lift breakdown, Drivers are trained to manually lower the tail lift

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- Drivers are provided with a DCC mobile phone to contact County Transport for urgent assistance if the tail lift cannot be lowered manually.

### **Carrying of Client Oxygen Cylinders**

- If clients are required to carry a personal oxygen cylinder a bracket for the cylinder is to be fitted to the bus and the oxygen supplier must be contacted for their recommended safe working practices for transportation which may include an Oxygen sign to be displayed on the rear window when the oxygen is transported.

### **Loose/Unsecured Walking Frames etc.**

- Client ancillary equipment is to be secured by the driver before setting off on a journey.

### **Client Issues**

- Where the driver is unable to contact the client after knocking on their door or ringing their bell, they must advise the day centre and line manager without delay
- Where the driver has any concerns about the client's health or wellbeing, ring 999 or contact their line manager or head teacher without delay, as appropriate to the situation. A Stress Counselling Service is available through DCC Occupational Health if drivers are affected by such incidents.

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## Appendix 2. Safeguarding/Child Protection Policy Statement

The operator will ensure the safety and welfare of all children and young people, regardless of race, ethnicity, gender, sexuality or disability attending our sessions. Any concerns expressed about the welfare of a young person, either by staff/volunteers or the young people themselves, will be taken seriously and prompt action taken.

Throughout the remaining policy the term 'staff' will refer to both paid and unpaid staff i.e. volunteers.

For more information on Safeguarding children see here:

<http://derbyshirescbs.proceduresonline.com/>

For more information on Safeguarding adults see here:

[http://www.saferderbyshire.gov.uk/what\\_we\\_do/safeguarding\\_adults/professional\\_guidance/default.asp](http://www.saferderbyshire.gov.uk/what_we_do/safeguarding_adults/professional_guidance/default.asp)

### Definitions of Abuse

**Abuse and Neglect.** Someone may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger.

**Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as factitious illness by proxy or Munchausen's syndrome by proxy.

**Emotional Abuse** is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

**Sexual Abuse** involves forcing or enticing a child or young person to take part in sexual activities, including prostitution whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of,

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pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

**Neglect** is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

**Organised Abuse** may be defined as abuse involving one or more abuser and a number of related or non-related abused children and young people. The abusers concerned may be acting in concert to abuse children, sometimes acting in isolation, or may be using an institutional framework or position of authority to recruit children for abuse.

Organised and multiple abuse occur both as part of a network of abuse across a family or community, and within institutions such as residential homes or schools.

**Signs of Abuse.** There are signs that *may* indicate a child or young person may have suffered abuse. The following list, whilst not exhaustive, is intended to raise awareness of that possibility

**Physical.** Have injuries— bites, burns, bruises, fractures—for which there are no explanations, or the explanations offered raise suspicion and concerns. Physical abuse has been linked to aggressive behaviour, emotional and behavioural problems and educational difficulties. Changes to the law have clarified the term ‘reasonable chastisement’. Smacking and other forms of corporal punishment that leave marks or injuries should be considered physical abuse.

**Emotional** abuse has a significant impact on a developing child’s mental health, behaviour and self-esteem. Symptoms may include — reverting to younger behaviour, nervousness, sudden under-achievement, attention-seeking, running away, stealing, lying.

**Sexual.** Pre-occupation with sexual matters evident in words, play, drawings; being sexually provocative with adults; disturbed sleep, nightmares, bedwetting; secretive relationships with adults or children; tummy pains with no apparent cause. Disturbed behaviour including self-harm, sadness, depression and a loss of self-esteem have also all been linked to sexual abuse

**Neglect.** Looking ill-cared for and unhappy, being withdrawn or aggressive, having lingering injuries or health problems. Experience low self-esteem, feelings of being unloved and isolated.

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## How to Respond

The operator and all its appointed workers and volunteers are committed to the safeguarding of children and young people from physical, sexual or emotional abuse. The following procedures will be followed where abuse is disclosed or discovered.

*The following is a summary only, for reference. It is no substitute for training*

### Respond to the child in the following manner:

- Allow the young person to speak in their own words.
- Accept what the young person says and affirm them in having done the right thing.
- Listen attentively but do not push for information or ask leading questions.
- Do not display shock or disbelief.
- Do not ask to see physical evidence of abuse.
- Be aware that the child may have been threatened.
- Tell the child they are not to blame.
- Do not promise secrecy.
- Explain to the young that you take what they say seriously and as a result may need to speak to someone else such as Social Care
- Let them know what you are going to do next, who you are going to tell and why, and roughly what will happen.
- Reassure the young person of your ongoing support.

*Under no circumstances attempt to approach or question the alleged perpetrator.*

### Make notes as soon as possible (preferably within an hour of being told), writing down: *(using appropriate incident form)*

- Exactly what the child said
- What you said in reply to the child
- When he/she said it and what was happening immediately beforehand (e.g. description of activity)
- Record dates and times of these events and when you made the record
- Keep all hand written notes securely, even if these have been typed subsequently.

### Report your discussion as soon as possible to the Safeguarding Co-ordinator

If the latter is implicated or unavailable report to worker-in-charge. If both are implicated or unavailable, report to Social Care:

**Children's Social Care: 0845 058058**

If it is felt the young person is in danger the police should be contacted immediately:

**Derbyshire Police: 0845 123 33 33**

**You should not discuss your suspicions or allegations with anyone other than those nominated in the above point.**

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It might be necessary to take immediate action to contact Social Care and/or police to discuss putting into effect safety measures for the child so that they do not return home.

Once a child has talked about abuse the worker and Co-ordinator should consider whether or not it is safe for a child to return home to a potentially abusive situation. On rare occasions it might be necessary to take immediate action to contact Social Care and/or police to discuss putting into effect safety measures for the child so that they do not return home.

### **You should ensure that you**

- Treat all children and young people with respect and dignity.
- Provide an example of good conduct you wish others to follow.
- Watch your language, tone of voice, and where you put your body.
- Remember that someone else might misinterpret your actions, no matter how well intentioned.
- Recognize that special caution is required when you are discussing sensitive issues with children or young people.
- Operate within the organisation's policies & procedures.
- Challenge unacceptable behaviour and report all allegations/suspensions of abuse.

### **You should not**

- Engage in rough, physical or sexually provocative games.
- Make sexually suggestive comments about or to a young person, even in 'fun'.
- Either exaggerate or trivialize child abuse issues.
- Show favouritism to any individual.
- Use scapegoat, ridicule or reject a child or young person.
- Let a young person involve you in excessive attention-seeking that is overtly sexual or physical in nature.
- Invite a child or young person to your home alone: invite a group, or ensure that someone else is in the house. Make sure the parents know where the child is.
- Believe 'it could never happen to me'.
- Take a chance when common sense, policy or practice suggests another more prudent approach.

### **Trips & Activities**

- The operator is committed to being 'positively safe' in our provision.
- Young people will be adequately supervised at all times.
- An adequate staffing ratio of adult to young person will be available in all sessions.
- All methods of transport will be risk assessed.

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- First Aid facilities will be readily available, clearly marked and adequately stocked.
- Insurance cover will cover all necessary activities, transport & public liability.

### **Anti-Bullying**

The operator recognises the seriousness of bullying and the affects it can have on a young person.

We have defined bullying as the use of physical or verbal aggression with the intention of hurting someone physically, emotionally or mentally.

The operator is aware that bullying can occur in many forms; emotional, physical, racist, sexual, homophobic, verbal and cyberbullying through the use of ICT, particularly mobile phones and the internet, deliberately to upset someone else.

Where bullying is suspected or witnessed parents will be informed of the circumstances and any action taken.

### **Allegations Against Staff (Whistleblowing)**

Where there has been an allegation or suspicion that a member of staff has:

- Behaved in a way that has harmed or may have harmed a young person
- Possibly committed a criminal offence against, or related to, a child
- Behaved towards a child in a way that indicates they are unsuitability to work with young people.

Employees must acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of young people may be at risk.

### **Recruitment**

#### **All staff and volunteers will be subject to a careful selection process.**

- All posts will require the completion of an application form and the person's identity will be checked against a suitable document, such as their passport.
- Two references will be taken up before any new employee can begin work.
- Interview Panels will have at least two members.
- Advice will be sought if recruiting someone with a Criminal Record.
- All staff and volunteers will undergo a Criminal Records Bureau Disclosure check before any unsupervised contact with children or young people.
- All staff will complete a three month probationary period.
- All staff will receive regular supervision/appraisal.

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## **Induction & Training**

Induction will ensure that all staff and volunteers have read through and understood these requirements.

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## **Useful Contacts**

Derbyshire Safeguarding Children Board 01629 532169 [www.derbyshirescb.org.uk](http://www.derbyshirescb.org.uk)  
Derbyshire Police 0845 123 33 33  
Derbyshire PCT 01246 231 255 [www.derbyshirecountypct.nhs.uk](http://www.derbyshirecountypct.nhs.uk)  
Derbyshire Social Care 0845 058058 [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk)  
Child Line 0800 1111

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## Appendix 3 Procedure for the Safe use of Tail Lifts

### General Points

1. Movement of a wheelchair from ground level into a vehicle requires careful assessment and management of risks involved. Risk assessment for each client must be done prior to travel.
2. Be aware of the specific needs of clients who have vision or hearing impairments and/or difficulties with communications.
3. Any warning signs or manufacturer's instructions regarding safe operation of the tail lift must be positioned prominently in the vehicle and observed at all times.
4. All passenger lifts must have a valid 'Lifting Operations and Lifting Equipment Regulations 1998' (LOLER) Certificate dated within the last six months.
5. All tail-lift manoeuvres and securing of wheelchair restraints remains the ultimate responsibility of the driver and must only be carried out by him/her with supervised assistance from the passenger assistant.
6. It is best practice for clients to travel in wheelchairs fitted with a headrest. If the wheelchair has not got a headrest, refer to Centre Manager or Wheelchair Services\*.
7. Bags and holdalls etc must not be placed on the handles of the wheelchair, as this alters the centre of gravity and makes them less stable. Also during transportation there is a risk of the bag and contents becoming loose and causing injury.
8. Tracking for wheelchairs must be kept clean and free from grit and dirt at all times.
9. Drivers and passenger assistants must be trained in the care (loading, handling and alighting) of clients in wheelchairs and in the use of tail lifts.
10. Wheelchairs involved in a vehicle impact must not be used again until checked by the manufacturer or his approved repair agent.

### Boarding

1. Ensure that rear vehicle doors are secured in the open position before raising the lift so that the platform can be raised safely.
2. **ALWAYS** switch off the engine when using the tail lift and remove keys from ignition to ensure no one interferes with controls whilst you are attending to passengers.

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- 3 Check that the combined weight of the client, the wheelchair and the driver does not exceed the Safe Working Load (SWL) of the lift. If you suspect that the SWL may be exceeded by the weight of the client, the chair, associated equipment and the driver, contact the relevant manager.
- 4 Check the size of the lift to ensure there is enough room for the wheelchair with the occupant, plus the driver.
- 5 Visually check wheelchair tyres for sufficient inflation. If tyres are underinflated, the restraints will not hold properly.  
**Do not transport passengers in wheelchairs with in-correctly inflated tyres.**
- 6 Check the brakes and the general state of the wheelchair, and if any parts do not work report to the Centre staff.  
**Do not transport passengers in wheelchairs with non-working brakes, or defective parts such as missing panels.**
- 7 Lower tail-lift to the ground, ensuring all ramps are in position to allow easy access to the lift.
- 8 Unfold the handrails and lock them into position.
- 9 Ensure the client is wearing the lap strap/harness attached to the wheelchair.  
**Do not transport passengers in wheelchairs with missing or defective belts. If the wheelchair has not got a lap belt, refer to Centre Manager or Wheelchair Services\*.**
- 10 Position the wheelchair on the lift with the client facing towards the front of the vehicle.
- 11 Check the brakes are working correctly and apply brakes to the wheelchair. If the brakes are not working correctly, the restraints will not hold the wheelchair properly.  
**Do not transport passengers in wheelchairs if the brakes are not working correctly.**
- 12 Ensure all kick plates are in position to prevent the wheelchair rolling off whilst the lift is in motion.
- 13 Stand on the lift, behind the wheelchair facing into the vehicle. The driver must accompany the client on the lift if possible, taking care not to overload the lift.  
**Do not leave passengers unattended on the lift at any time.**
- 14 Using the controls provided, raise the lift, ensuring the client is at ease with the manoeuvre. If the client shows signs of distress, stop the lift and lower it slowly back to the ground, offer re-assurance and call for assistance from

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Centre staff. Remove the wheelchair and occupant following the procedure for alighting from the vehicle.

- 15 When the lift has reached the top position it will automatically stop level with the vehicle and lock in position once hand taken off button.
- 16 Ensure the front kick plate is lowered into position to allow easy exit of the wheelchair from the lift.
- 17 Unlock the brakes from the wheelchair.
- 18 Push the wheelchair forward onto the vehicle.
- 19 Manoeuvre the wheelchair and assist the client as below:
  - a) If they are able to transfer to a fixed seat, position the wheelchair adjacent to the seat to allow the client to transfer safely, using any necessary equipment. Store the folded chair securely away from walkways. Do not block aisles or the rear doors.
  - b) If the client cannot transfer to a fixed seat, place the wheelchair where it is to be secured.
- 20 Apply the wheelchair brakes.
- 21 On a powered wheelchair, ensure the power unit is switched off.  
**Do not leave a powered wheelchair in freewheel mode.**
- 22 Secure the wheelchair in position for the journey following the procedure relating to the particular 4 point webbing restraint / or Easi-lok seat system contained in that vehicle.
- 23 Do not leave the lift unattended at ground level if passengers are in the vehicle.

### **Alighting from the Vehicle**

- 1 Raise the tail-lift so that the platform is level with floor of the vehicle.
- 2 Ensure all kick plates are in position to prevent the wheelchair rolling off whilst the lift is in motion.
- 3 If the client has to transfer from a fixed seat to their wheelchair, position the chair adjacent to the seat and allow them to transfer using any necessary equipment.
- 4 If the client has been transported in their wheelchair, remove the restraints following the procedure relating to the particular restraining system contained

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in that vehicle. Remove restraints from the floor tracking system to avoid tripping hazards.

- 5 Position the wheelchair on the lift with the client facing towards the front of the vehicle.
- 6 Apply brakes to the wheelchair.
- 7 Ensure all hand rails and kick plate are in position and fastened to prevent a fall from the lift.
- 8 Stand on the lift, behind the wheelchair facing into the vehicle.
- 9 Using the controls provided, lower the lift slowly to the ground, ensuring the client is at ease with the manoeuvre. If the client shows signs of distress, stop the lift, offer re-assurance and call for assistance from Centre staff if possible.
- 10 Step off the platform and ensure kick plate is lowered to form a ramp to provide easy egress from the platform to the ground.
- 11 Return to the platform and gently pull the wheelchair backwards off the lift and onto the ground.

**N.B.** Pavement vehicles (electric scooters etc) must not be carried on board DCC mini-buses.

### **Electric or Powered Wheelchairs**

Passengers using electric or powered wheelchairs must **NEVER** be allowed to 'power' themselves onto or off the tail lift or vehicle.

Ensure you have the correct restraining equipment for electric/powered wheelchairs as they are heavier than manual wheelchairs (heavy duty restraints may be required), and/or they have battery mechanisms underneath the chair.

Power to the joystick or wheelchair control pad must be switched OFF and drivers/passenger assistants must disengage the drive clutch to allow the wheelchair to be manoeuvred in a controlled and safe way.

### **Emergency Procedures in the event of power failure of the Tail-lift**

In the event of a power failure, or oil leak, the tail-lift will have to be operated manually as follows:

- 1 **To raise the lift:**
  - Manually close the release valve by turning the wheel to the **RIGHT**
  - Fit the pump handle to the manual pump
  - Operate the pump handle up and down until the desired position is attained.

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**To lower the lift:**

- Manually open the release valve by turning the wheel to the **LEFT** allowing the lift to lower to the ground.

The locations of the manual pump and the pump handle may vary depending on the manufacturer and model of the bus. It is the driver's responsibility to familiarise themselves with the locations of the manual pump and the pump handle for the bus being driven before beginning a journey, and read the instructions as supplied with the vehicle.

**You must NOT operate the tail lift manually unless you have received training from authorised personnel (Nb this can be arranged via County Transport, please see the appropriate manager for details).**

If you have not received training, you must treat the tail lift failure as a breakdown situation and enact the Recovery Procedure.

**\*Wheelchair Services**

South Area: Manor Store, Manor Park Way, Derby DE22 3NB Tel 01332 292080

North Area: Clay Cross Community Hospital, Market Street, Clay Cross, Chesterfield Tel 01246 252970

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## Appendix 4. GB Domestic Rules

The following is an extract from PSV375 Rules on Drivers' Hours and Tachographs.

### Section 2

GB domestic rules

The GB domestic rules, as contained in the Transport Act 1968, apply to most vehicles that are exempt from the EU rules. Separate rules apply to Northern Ireland.

### Domestic rules exemptions

The following exemptions apply to drivers who would otherwise be subject to the GB domestic rules:

- If they do not drive for more than **4 hours** a day in any week, drivers are exempt from any GB domestic rules for that week.
- If they drive for more than **4 hours** for up to two days in any week, they are still exempt from the rules, but on these two days:
  - all working duties must start and finish within a 24-hour period;
  - a 10-hour period of rest must be taken immediately before the first duty and immediately after the last duty; and
  - rules on driving times and length of working day must be obeyed.
- If any working day overlaps into a week in which drivers are not exempt from the rules, then on that day the limits on driving time and length of working day must be obeyed.
- An exemption from the rules on driving time and rest applies during any time spent dealing with an emergency.

### Domestic driving limits

Driving is defined as being at the controls of a vehicle for the purposes of controlling its movement, whether it is moving or stationary with the engine running, even for a short period of time.

### Breaks and continuous driving

- After **5.5 hours** of driving a break of at least **30 minutes** must be taken in which the driver is able to obtain rest and refreshment.
- Alternatively, within any period of **8.5 hours** in the working day, total breaks amounting to at least 45 minutes are taken so that the driver does not drive

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for more than **7 hours and 45 minutes**. The driver must in addition have a break of at least **30 minutes** to obtain rest or refreshment at the end of this period, unless it is the end of the working day.

### **Daily driving**

In any working day, the maximum amount of driving is **10 hours**. The daily driving limit applies to time spent at the wheel, actually driving, and includes any driving done under EU or The European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) rules.

**Day:** Is the period between two daily rest periods, or a daily rest period and a weekly rest period.

### **Length of working day ('spreadover')**

A driver should work no more than **16 hours** between the times of starting and finishing work (including work other than driving and off-duty periods during the working day).

### **Daily rest periods**

A continuous rest of **10 hours** must be taken between two consecutive working days. This can be reduced to **8.5 hours** up to **three times a week**.

### **Fortnightly rest periods**

In any two consecutive weeks (Monday to Sunday) there must be at least **one period of 24 hours** off duty.