

Confirmation of School Staff driving minibuses for school business

25 November 2022

Following enquiries relating to the licence category permitted to drive minibuses I am able to confirm the stance on the regulations and requirements surrounding school staff driving minibuses for work purposes.

The Gov.UK website sets out the conditions that must be met for driving a school minibus, one of which stipulates that if you are driving as a volunteer rather than on day-to-day school business, then driving with a B licence (car licence) is acceptable. In many cases previously we thought this to be a criterion which could be applied in some instances.

HOWEVER, this guidance is ambiguous and legally untested. It is likely, if a teacher drives for their employer's business, then they are no longer a volunteer, irrespective of the type of journey being made. In addition, schools are unlikely to be considered a non-commercial body.

The Council's current motor insurance permits drivers with a valid relevant licence otherwise cover could be void, also safety and reputation at risk. Until the licence provision becomes law we cannot categorically confirm if cover will apply to B licence drivers, or ensure drivers with B licences will not be convicted on a Police check.

Until the DfE, DfT and ACPO (Police) (or other groups) progress amendments to the law we are unable to advise schools to take the risk to drive without a valid licence as this potentially invalidates the insurance. We also believe most training providers (MIDAS) will not allow participants without the correct legal licence.

Therefore, for any minibus insured under the SCC group policy it remains our stance at this time, drivers of passengers require a D1 licence and Midas training.

Any concerns, please direct them to SCC's insurance team at insurance@suffolk.gov.uk and copy in nina.bickerton@suffolk.gov.uk – thank you.