

1. Introduction

- 1.1 It is the policy of Fermanagh Community Transport to maintain a handbook that sets out the procedures, and terms and conditions for hiring minibuses operated by Fermanagh Community Transport
- 1.2 All groups who wish to hire minibus(es) operated by Fermanagh Community Transport will receive a copy of the Minibus Hire Policy Handbook
- 1.3 The handbook will, as a minimum, set out the following information:
 - 1.3.1 Our minibus hire service is only available to non-profit making community and voluntary groups in Fermanagh Community Transport's operational area
 - 1.3.2 All minibuses are operated under the *10B Permit* legislation. Fermanagh Community Transport is the registered holder of a *10B Permit* for each minibus, and every hire is carried out under the terms of the Permit. This means that:
 - A minibus can only be hired by group members of Fermanagh Community Transport.
 - A minibus cannot be hired by an individual or a member of the general public.
 - All hires take place in the name of Fermanagh Community Transport.
 - **A minibus cannot be hired for activities (or as part of activities) which are profit making.**
 - Whilst on hire, a minibus can only be driven by someone who is on the Fermanagh Community Transport *Register of Drivers*.
 - **Subject to availability, a minibus may be hired by a group member on either on a with-driver or without-driver basis.**
 - It is important to realise that demand for hiring minibuses in our fleet often exceeds the available supply and, therefore, we cannot guarantee that a member will be able to make all the bookings they would like.

2. Minibuses

- 2.1 There are 11 minibuses in the Fermanagh Community Transport fleet.
- 2.2 All the minibuses are fitted with a passenger-lift and have removable seats to allow the carriage of passengers in wheelchairs.
- 2.3 Passengers must use the available seat belt restraint systems at all times, unless they hold a medical exemption certificate.
- 2.4 Each minibus is equipped with:
 - A first aid kit.

- Two fire extinguishers.
- The Fermanagh Community Transport *Driver's Pack* contains a copy of:
 - Fermanagh Community Transport Minibus Information Card.
 - Fermanagh Community Transport Minibus Hire Policy.
 - MiDAS Minibus Driver's Handbook.
 - Vehicle Manual.

3. Self-Drive Minibus Hire - Small Bus Permit Operation

- 3.1 Technically, because all hires take place under the auspices of our Section 10B Permits, every hire is considered to be the supply of transport with a driver. However, for the sake of clarity, when the hirer nominates a driver from our *Register of Drivers*, this is referred to as without-driver minibus hire.

4. Register Of Drivers

- 4.1 Entitlement to drive minibuses in the Fermanagh Community Transport fleet is partly determined by the date when a driver passed his/her UK manual car driving test. Drivers who passed the test before 1 January 1997 have an automatic entitlement (until the age of 70, unless withdrawn) to drive a minibus with 9-16 passenger seats. The old style of driving licence will show a driving entitlement of category A (cars). The new style of driving licence will show category B (cars) and D1 (9-16 passenger seat minibuses).
- 4.2 **Drivers who passed the test after 31 December 1996 are required to pass a further driving test in order to gain entitlement to drive a minibus with 9-16 passenger seats (category D or D1 on the new style driving licence). However, under certain circumstances, a driver may drive such a vehicle without the need for such a test. These circumstances are that:**
- They are over 21 years of age
 - They have held their full B license for more than 2 years
 - They do not tow anything
 - They are volunteers – not in receipt of any consideration in kind or any payment other than genuine out of pocket expenses (e.g. allowance for food while away on long journeys)
 - They are driving a vehicle whose GVW/MAM is not more than 3.5 tonnes (4.25 tonnes if adapted to carry wheelchairs)
- 4.3 A driver who wishes to drive under the above exemptions will be required to sign a statement certifying that s/he meets the requirements set out in (4.1) and (4.2).

- 4.4 A driver who passed the manual car driving test after 31 December 1996, and who has subsequently passed a further driving test which gives an entitlement to drive category D or D1 vehicles, is required to have held his/her driving licence for a minimum of 1 year.
- 4.5 When a driver reaches the age of 70, entitlement to drive a minibus with 9-16 passengers is lost unless s/he passes a medical.
- 4.6 In addition, a driver must:
- 4.6.1 Be between the ages of 21 and 70.
- 4.6.2 Complete and sign the Fermanagh Community Transport insurance form: a photocopy of the driver's driving licence will be attached to this form.
- 4.6.3 Be able to answer "NO" to the following questions:
- Have you had any convictions within the last 5 years, or do you have any prosecutions pending?
 - Have you had an accident whilst driving a motor vehicle in the last 3 years?
 - Has any period of a ban from driving been operative within the last 5 years?
 - Has any company or underwriter ever declined, cancelled or refused to renew any motor insurance, or increased the premium or policy excess, or imposed special conditions?
- 4.6.4 Provide details about any medical condition, or medical history (whether physical or mental; including defective vision not corrected by glasses, or hearing loss not corrected by a hearing aid) that may affect his/her ability to drive a minibus. In addition, details about any medication that is currently being taken, including dosage, should also be provided.
- 4.6.5 Successfully undertake a MiDAS (Minibus Driver Awareness Scheme) driving assessment and attend the relevant MiDAS training course(s).
- 4.7 MiDAS is the UK national standard for the assessment and training of minibus drivers, and consists of three modules:
- 4.7.1 On-Road Driving Assessment
- This is carried out on a one-to-one basis.
- 4.7.2 Standard Training Module
- This is compulsory for all minibus drivers and provides information on: *Responsibilities of a Minibus Driver, Passenger Safety, Child Passenger Safety, Defensive Driving, Personal Safety and Breakdown, Accident & Emergency Procedures.*
- 4.7.3 Accessible Minibus Training
- This module is only compulsory for drivers who intend to carry passengers with mobility difficulties (e.g. those travelling in wheelchairs, and those

who may require to use the passenger lift); however, all drivers are welcome to attend. This session covers the following areas: *Passenger Awareness and Assistance, Wheelchair & Passenger Restraint Systems and Passenger Lifts.*

- 4.8 The on-road driving assessment takes into account the following factors:
- Confidence in handling the vehicle.
 - Ability to drive the vehicle in such a manner as to be comfortable and safe for passengers.
 - Correct use of brakes. Braking hard in an empty vehicle may lead to skidding. Harsh braking is uncomfortable for passengers and bad for the vehicle.
 - Good clutch control (not keeping the clutch partially depressed), gear changing and correct use of gears.
 - Correct use of the accelerator.
 - Good observation of all traffic situations.
 - Use of mirrors and signals.
 - Correct speed for road conditions. Slowing down when visibility is bad. Observing all speed limits.
 - Consideration for other road users.
 - Ability to satisfactorily perform one or more manoeuvres, such as a 3-point turn, reversing round a corner or into a parking space.
- 4.9 Drivers who successfully complete the MiDAS assessment and training session(s) will receive a nationally recognised MiDAS certificate, have their name entered on the MiDAS register of drivers, and will receive their own copy of the comprehensive MiDAS Minibus Driver's Handbook.
- 4.10 The cost of a MiDAS driving assessment will be provided on request. MiDAS driving assessments and training courses are carried out by Fermanagh Community Transport staff who are accredited MiDAS Driver Assessor/Trainers.
- 4.11 A MiDAS driving assessment and relevant training course(s) must be booked and paid for in advance of a without-driver hire.
- 4.12 Drivers must bring their driving licence to the appropriate Fermanagh Community Transport office at the time of a driving assessment: failure to do so will result in the assessment being cancelled.
- 4.13 A driver who has successfully undertaken a MiDAS driving assessment, and attended the relevant MiDAS training course(s), will be eligible to drive any vehicle in the Fermanagh Community Transport fleet. However, due to the varying levels of equipment on different minibuses, a vehicle familiarisation (which may include a short on-road session) will be required before a driver

can drive a vehicle other than the one in which the on-road assessment was carried out. A vehicle familiarisation can often be carried out immediately before the start of a hire, but must be pre-booked.

- 4.14 A driver who has obtained the appropriate MiDAS certificate(s) from an agency other than Fermanagh Community Transport will not normally be required to undertake a further driving assessment with Fermanagh Community Transport. However, Fermanagh Community Transport will still need to see the driving licence of such a driver before s/he can drive a vehicle in the fleet. A vehicle familiarisation is also required for each type of vehicle in the Fermanagh Community Transport fleet.
- 4.15 All drivers must abide by the Fermanagh Community Transport *Driver's Rules*, a copy of which is enclosed in the MiDAS Minibus Driver's Handbook.

5. Vehicle Familiarisation

- 5.1 A driver who has successfully undertaken a MiDAS driving assessment, and attended the relevant MiDAS training course(s), will subject both to having D1 driving entitlement be eligible to drive any vehicle in the Fermanagh Community Transport fleet. Because of the varying levels of equipment on different minibuses, and particularly because some minibuses are significantly longer and wider than others, a vehicle familiarisation will be required before a driver can drive a vehicle other than the one in which the MiDAS on-road assessment was carried out. Very often, a vehicle familiarisation will include a short on-road session and require the successful completion of a reversing manoeuvre. If either of the on-road components of the vehicle familiarisation, or the reversing manoeuvre, are not completed satisfactorily, the driver will not be allowed to drive that particular minibus. Additional training may be available at the discretion of the MiDAS Driver Assessor/Trainer. For small minibuses, a vehicle familiarisation can often be carried out immediately before the start of a hire, although it should always be pre-booked: for larger minibuses, it should be booked on a day well before the hire.

6. Insurance

- 6.1 Vehicles in the Fermanagh Community Transport fleet are driven under insurance arranged by Fermanagh Community Transport.
- 6.2 Insurance cover may be invalidated if any of the information contained on the Fermanagh Community Transport insurance form is subsequently found to be false or inaccurate. Any material changes to the information on a driver's licence must be notified to Fermanagh Community Transport before that person next drives a vehicle in the Fermanagh Community Transport fleet. Similarly, should a driver have an accident whilst driving any motor vehicle after his/her name is entered on the Community Transport *Register of Drivers*,

that fact must be disclosed to Fermanagh Community Transport before that person next drives a vehicle in the Fermanagh Community Transport fleet.

7. Removal from Register of Drivers

7.1 Fermanagh Community Transport reserves the right to remove a person from the *Register of Drivers* if:

- That person is involved in a serious own-fault accident.
- That person has more than two minor own-fault accidents in any 12 month period.

7.2 In all such cases, Fermanagh Community Transport shall be the sole arbiter when determining whether an accident is serious or of a minor nature.

8. Carriage of Goods

8.1 Minibuses must not be used for the carriage of goods.

9. Accidents

9.1 In the event of an accident where a minibus is being driven on a without-driver basis it will fall to the group under whose membership the hire was booked to reimburse Fermanagh Community Transport for any insurance excess payable. Currently this is £250.00

10. Vehicle Breakdowns

10.1 All vehicles in the Fermanagh Community Transport fleet are covered by a Breakdown Organisation.: this includes “Home Start” and “Recovery”. The MiDAS Minibus Driver’s Handbook contains general details about what to do in the event of a breakdown or accident.

11. Off-Road Use

11.1 Vehicles in the Fermanagh Community Transport fleet should not be driven “off-road”. If a driver causes loss or damage to a Fermanagh Community Transport fleet vehicle by going “off-road”, the costs of any necessary repairs will become the hirer’s responsibility.

12. Blue Badge

12.1 Minibuses in the Fermanagh Community Transport fleet are equipped with Blue Badges. These are located in the office. It is an offence to display a Blue Badge while a motor vehicle is being driven on the road. It is, therefore, the driver’s responsibility to ensure that the Blue Badge is only facing outward when the vehicle is parked, and when at least one eligible passenger is being

carried. Equally, it is the responsibility of individual drivers to ensure that the vehicle is not parked with the Blue Badge outward facing when eligible passengers are not being carried.

- 12.2 The MiDAS Minibus Driver's Handbook sets out the conditions under which Blue Badges can be used. In Scotland, if a Blue Badge is properly displayed, a vehicle may park without time limit on streets with single or double yellow lines, except where there is a ban on loading or unloading.
- 12.3 Although any prosecution arising from illegal use of a Blue Badge will be directed at the driver concerned, it is important to realise that the ultimate sanction is the withdrawal of all Blue Badges from Fermanagh Community Transport. This would impact unfairly on those who have a genuine entitlement to use Blue Badges.

13. Passenger Safety

- 13.1 We recommend that lifting & handling of passengers in our minibuses should only be undertaken by individuals who have received training in the relevant techniques.
- 13.2 When a passenger requires to be lifted, a basic risk assessment should be undertaken. Some of the factors that should be considered include:
- Is a lift necessary and appropriate?
 - The weight of the passenger and the nature of their disability.
 - The training undertaken by the relevant individuals, and the information that is available to them.
 - Are lifting aids available?
 - What practical steps are in place to minimise the risks involved?
- 13.3 It is the hirer's responsibility to assess each passenger's ability to use the steps or passenger lift when boarding or alighting from a Fermanagh Community Transport minibus. Similarly, it is the hirer's responsibility (where applicable) to assess each passenger's ability to transfer safely from a wheelchair to a seat in a Fermanagh Community Transport minibus, and from such a seat to a wheelchair.

14. Children

- 14.1 **It is a requirement that all children (up to 16 years) sit on forward-facing seats and wear seatbelts.**
- 14.2 Remember that young children are required to use appropriate seating, and that Fermanagh Community Transport cannot provide baby carriers, child seats or booster cushions.

15. Access NI

- 15.1 If your group is a voluntary child care organisation and your driver (either paid or unpaid) is likely to have substantial unsupervised access to children whilst driving a Fermanagh Community Transport fleet vehicle (ie your driver is engaging in Regulated Activity) you are reminded that it will be necessary for an Enhanced Disclosure with checks against the appropriate barred lists to be undertaken by Access NI.
- 15.2 Fermanagh Community Transport is committed to protecting all passengers including children (aged 17 and under) and vulnerable adults (including older people, people with disabilities and other vulnerable adults).
- 15.3 To this end any group hire member is required to provide a copy of, or proof that the nominated driver/s and or passenger assistants for your organisation has been through an Access NI check.
- 15.4 This check will confirm if the driver and/or passenger assistant is not on any list of people not permitted to work with children or vulnerable adults. If your organisation is unable to provide a copy, or proof that the check has been completed Fermanagh Community Transport can have this check completed for your driver / passenger assistant.
- 15.5 If you would like Fermanagh Community Transport to complete this check please contact the office for details, a copy of an application form, confirmation of the proof of ID required and any costs.
- 15.6 ***Please note: Fermanagh Community Transport may not be able to provide your Group with membership or transport if your driver and/or passenger assistant has not completed an appropriate Access NI check.***

16. Making A Booking

- 16.1 Bookings are subject to vehicle availability. One-off bookings can be made over the telephone or, if you wish, in writing. Requests for regular bookings MUST be made in writing and should state dates, times, vehicle required, seating capacity, etc.
- 16.2 Regular bookings for a vehicle can be made in blocks of up to three months, and can be booked up to four weeks in advance.
- 16.3 Should you wish to renew a block of regular bookings, please do so in writing: we do not issue reminders when such bookings are about to expire. We try to maximise the opportunities for members to make their bookings; therefore, renewals of regular bookings cannot be guaranteed.
- 16.4 In general, and subject to availability, a minibus can be booked for any period up to seven days. Bookings for longer periods may be accepted at the discretion of the Fermanagh Community Transport's Transport Manager.

- 16.5 It is important that careful consideration is given to the times for which you wish to hire the vehicle, especially the return time. This is to ensure that you have the vehicle long enough to complete your journey, but also that you do not keep it unnecessarily when other groups could be using it. If, for example, you have booked a vehicle until 5.00 p.m., then it must be returned by this time. The Fermanagh Community Transport office closes at 5.00 p.m. and another group may be waiting to start an evening hire. Furthermore, the vehicle may require to be fuelled, or seats may need to be removed/replaced. If you think you may be unavoidably delayed in returning the vehicle, please telephone the office as soon as possible.
- 16.6 Wilfully keeping a vehicle longer than the pre-booked return time will render the hirer liable to financial (or other) penalties (see clause 22 of the *Terms & Conditions of Vehicle Hire*). When there is an accident or breakdown, this does not apply.
- 16.7 Please note that the Fermanagh Community Transport offices are closed at weekends and on local Bank Holiday Mondays. If you have a vehicle booked at these times, you must arrange with the administration staff how to pick up keys and vehicle. Fermanagh Community Transport is also closed on Good Fridays.

17. Charges

- 17.1 All charges relating to Minibus Hire will be available from Fermanagh Community Transport upon request.

18. Availability

- 18.1 With-driver minibus hires are accepted at the discretion of the Fermanagh Community Transport Manager
- 18.2 The with-driver minibus hire service is provided by a mixture of paid drivers and volunteer drivers. The number of with-driver hires that Fermanagh Community Transport can carry out will vary from time to time because of the fluctuating size of the volunteer pool. This service is primarily available from 9.00 a.m. to 5.00 p.m. Monday – Friday; however, there may be occasions when the service will be available outside these hours.

19. Fermanagh Community Transport Drivers

- 19.1 Every Fermanagh Community Transport driver is fully qualified under the MiDAS scheme. Drivers also undertake additional training in areas such as *Minibus Fire & Evacuation Procedures*.
- 19.2 Drivers working for Fermanagh Community Transport carry a lot of responsibility and, should they feel it necessary, the final decision to cancel a journey (e.g. because of bad weather) lies with them.

19.3 The Fermanagh Community Transport pool of volunteer drivers is small: it is a delicate job to strike a balance between maintaining a volunteer's interest but also ensuring that they are not taken for granted. It is, therefore, vital that groups making use of this service do not make unreasonable requests of the volunteer. For example, a group should not unreasonably request that a Fermanagh Community Transport driver pick up more than the agreed number of passengers. A Fermanagh Community Transport driver reserves the right to refuse a request if s/he believes it is unreasonable.

20. Escorts

20.1 Fermanagh Community Transport is unable to offer an escort service on with-driver minibus hires. It is, therefore, the responsibility of the hirer to provide a reliable and competent escort. An escort is compulsory if children or other vulnerable passengers are to be carried. Fermanagh Community Transport reserves the right to refuse a with-driver booking if a suitable escort cannot be provided.

20.2 The escort is normally expected to meet the driver at the Fermanagh Community Transport office, or at the first passenger pick-up point.

20.3 The escort's responsibilities include:

- Dealing with the needs of passengers.
- Escorting passengers to and from the vehicle.
- Assisting the driver in planning the route if the job involves multiple pick-ups.
- Assisting the driver in the event of an accident, breakdown or emergency by looking after the passengers.

21. Emergencies

21.1 You **MUST** be able to provide a contact telephone number that will be staffed during the time of the hire. This is especially important for hires outside normal office hours. If you do not provide such a telephone number, Fermanagh Community Transport cannot be held responsible for any failure to inform you about any emergency or other problem associated with the hire: e.g. a breakdown on the way to the first pick-up.

22. Bookings

22.1 Bookings for vehicle hires are only accepted from members of Fermanagh Community Transport. It is the responsibility of the member, not Fermanagh Community Transport to ensure that bookings made in the name of the member are made by authorised personnel. A member is responsible for the payment of any hire booked in its name, accepted in good faith by Fermanagh Community Transport.

- 22.2 All accounts must be paid promptly. Invoices are sent out at the end of each calendar month, and must be paid within 30 days. Fermanagh Community Transport reserves the right to refuse bookings to any group whose account is overdue. Non-payment of invoices will result in loss of membership.
- 22.3 The invoice for any particular hire will be the responsibility of the hirer.
- 22.4 Drivers and passengers are not allowed to smoke in any Fermanagh Community Transport vehicle. Fermanagh Community Transport reserves the right to refuse hires from groups who persistently ignore this regulation, and reserves the right to levy a charge of £50.00 for clearing up debris caused by smoking.
- 22.5 Vehicles must be returned in a clean and tidy condition: all rubbish must be removed from the vehicle before the end of the hire. Failure to do so may result in a £30.00 surcharge being added to the hirer's invoice.
- 22.6 Fermanagh Community Transport reserves the right to ban a driver from driving any vehicle in the Fermanagh Community Transport fleet should that person allow another person who has not passed the MiDAS driver assessment (or who has not attended the relevant MiDAS training course[s], or who has not been through the relevant Fermanagh Community Transport vehicle familiarisation process) to drive a vehicle in the Fermanagh Community Transport fleet. In such circumstances, the driver(s) may be liable to prosecution.**
- 22.7 Fermanagh Community Transport reserves the right to ban a driver from driving any vehicle in the Fermanagh Community Transport fleet if there are reasonable grounds for believing that person knowingly failed to report any damage to, or accident involving, a vehicle in the Fermanagh Community Transport fleet whilst it was in their care (i.e. during a hire).
- 22.8 Should a group fail to turn up for a booked hire, or give little or no notice of cancelling their hire, Fermanagh Community Transport reserves the right to levy a charge of £30.00 per day for each day cancelled.
- 22.9 Should a group persistently cancel their bookings, Fermanagh Community Transport reserves the right to levy a charge of £50.00 per day for each day cancelled, regardless of the length of notice given for the cancellation.
- 22.10 Fermanagh Community Transport reserves the right to reject, cancel or vary any booking if the purpose for which the vehicle is to be used is inconsistent with the aims, objectives or rules of Fermanagh Community Transport
- 22.11 In the event of cancellation or change to a booking by Fermanagh Community Transport, no liability can be accepted for any loss, financial or otherwise, arising from our failure to provide a vehicle, and Fermanagh Community Transport cannot be held responsible for breach of contract in such circumstances.

23. Terms & Conditions of Vehicle Hire: Self-Drive Hire

- 23.1 Anyone driving a vehicle in the Fermanagh Community Transport fleet must be on the Fermanagh Community Transport *Register of Drivers* and have successfully undertaken the MiDAS driving assessment and relevant training course(s).
- 23.2 Should a driver provide false or inaccurate information at the time of registering with Fermanagh Community Transport, and insurance cover is consequently invalidated, Fermanagh Community Transport reserves the right to take legal action against the relevant parties.
- 23.3 Drivers must notify Fermanagh Community Transport of any changes in the circumstances relating to their driving licence (including changes in health) which occur after they have completed the insurance form.
- 23.4 Any fines during without-driver hires resulting from illegal parking (including misuse of a Blue Badge) will be passed onto, and are the responsibility of, the hirer. Fermanagh Community Transport reserves the right to make payment and then recover the amount from the hirer.
- 23.5 Any prosecution of a driver arising from the use of a Fermanagh Community Transport fleet vehicle while on without-driver hire will be the responsibility of the hirer and/or driver. This includes any charges against a driver arising from vehicle defects.
- 23.6 Drivers must not drive whilst under the influence of drugs or alcohol.
- 23.7 Drivers must not indulge in dangerous driving, or abuse the vehicle.
- 23.8 Drivers must inspect the vehicle before and after each hire, and note down any damage or fault on the logsheet.
- 23.9 The hirer is responsible for maintaining correct oil and water levels, and correct tyre pressures, during the period of the hire.
- 23.10 The hirer may be liable for the cost of replacing a tyre if it is damaged beyond repair due to kerbing, or being driven on whilst it is flat or punctured.
- 23.11 Minibuses must be returned no later than the previously booked time. Should an unauthorised late return of a vehicle result in another group being unable to hire the vehicle at the time they booked, any resultant financial liability may be passed on to the first group. Wilfully keeping a vehicle beyond the booked time can be construed as taking the vehicle without the owner's consent. In such cases, Fermanagh Community Transport reserves the right to take any appropriate action to recover the vehicle. Fermanagh Community Transport reserves the right to levy an additional surcharge of £30.00 in the event of an unauthorised late return of a vehicle. Fermanagh Community Transport reserves the right to refuse hires from groups who are persistently late in returning vehicles.
- 23.12 Receipts for fuel, oil or minor repairs incurred during a without-driver hire must be returned to the Fermanagh Community Transport office, together with the log sheet and vehicle keys. Failure to do so will result in these costs NOT being deducted from the invoice.

- 23.13 Any accident or damage to the vehicle must be notified to Fermanagh Community Transport as soon as possible.
- 23.14 Engine damage resulting from the wrong type of fuel being used while on hire will be the responsibility of the hirer, who will have to pay the full repair costs.
- 23.15 It is the responsibility of the Transport Manager to ensure that the information contained within the Minibus Hire Policy Handbook, including all references to legislation, is up to date, and that any handbooks with out of date information or prices are removed from circulation and destroyed according to the Disposal of Documentation Policy.